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Illinois Register

Rules of Governmental Agencies

Volume 23, Issue 22 — May 28, 1999

Pages 6,196 — 6,582

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Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 16, 1999 - Issue 16: Through	March 31, 1999
July 16, 1999 - Issue 29: Through	June 30, 1999
October 15, 1999 - Issue 42: Through	September 30, 1999
January 14, 2000 - Issue 3: Through	December 31, 1999 (Annual)

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Standards for Award of Grants: School Construction Program

2) Code Citation: 71 Ill. Adm. Code 40

3) Section Numbers: Proposed Action:
40.130 Amended

4) Statutory Authority: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Section 5-55 of that Act, and the School Construction Law [105 ILCS 230].

5) A Complete Description of the Subjects and Issues Involved: The current version of our rules on the School Construction Program states that the dollar amount of the grant is solely based on an estimate made by CDB before the project begins. In numerous instances over the past year, the project cost as bid by the contractors is lower, sometimes substantially, than CDB's estimate. Some school districts are taking the position that they are entitled to the entire grant amount originally indicated by CDB, even when this amount raises the percentage of the State Share for their project above that indicated by the State Board of Education. In a few instances the bid prices of the project were so much lower than CDB's estimate, that the grant by the State literally would fund the entire project. The amendment to our rule clarifies that the estimate given by CDB (Recognized Project Cost) establishes a "not to exceed" amount that will be proportionately reduced if the bid prices for the project are less than CDB's estimate.

6) Will this proposed rule replace an emergency rule current in effect? Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporation by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: From the date that this notice first appears in the Illinois Register, for a period of 45 days thereafter, interested persons may submit comments, in writing, to:

Fredrick W. Hahn, Chief Counsel
Capital Development Board
3rd Floor, Wm. G. Stratton Bldg.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

Springfield, Illinois 62706
(217)782-0700

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporation affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on the two most recent regulatory agendas because: the need for the amendment was not anticipated at that time.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment appearing in this issue of the Illinois Register on Page _____.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) **Heading of the Part:** Pay Plan
- 2) **Code Citation:** 80 Ill. Adm. Code 310
- 3) **Section Numbers:** 310.230
Proposed Action: Amend
- 4) **Statutory Authority:** Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) **A Complete Description of the Subjects and Issues Involved:** In Section 310.230, Part-time Daily or Hourly Special Services Rate, the part-time hourly rate for the Laborer (Maintenance) is being changed from \$5.15 - \$5.70 to \$6.20 - \$6.75 at the request of the Department of Transportation.
- 6) **Will this proposed rule replace an emergency rule currently in effect?** No
- 7) **Does this rulemaking contain an automatic repeal date?** No
- 8) **Do these proposed amendments contain any incorporations by reference?** No
- 9) **Are there any proposed amendments pending to this Part?** Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.470	Amend	23 Ill. Reg. 5215
310-Appendix A, Table AA	Amend	23 Ill. Reg. 5300
310-Appendix A, Table H	Amend	23 Ill. Reg. 5300
310-Appendix A, Table J	Amend	23 Ill. Reg. 5300
310-Appendix A, Table O	Amend	23 Ill. Reg. 5300
310-Appendix A, Table R	Amend	23 Ill. Reg. 5300
310-Appendix A, Table S	Amend	23 Ill. Reg. 20431
310-Appendix A, Table W	Amend	23 Ill. Reg. 5300
310-Appendix A, Table X	Amend	23 Ill. Reg. 5300
310-Appendix A, Table Y	Amend	23 Ill. Reg. 5300
310-Appendix A, Table Z	Amend	23 Ill. Reg. 5300

- 10) **Statement of Statewide Objectives:** These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

- 11) **Time, Place, and Manner in which interested persons may comment on this Proposed rulemaking:**

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

12) **Initial Regulatory Flexibility Analysis:**

A) **Types of small businesses, small municipalities and not for profit corporations affected:** None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) **Reporting, bookkeeping or other procedures required for compliance:** None

C) **Types of professional skills necessary for compliance:** None

- 13) **Regulatory Agenda on which this rulemaking was summarized:** These rules were not included on either of the 2 most recent agendas because: it was not known at the time.

The full text of the Proposed Amendment is identical to the emergency amendment published on page ~~6198~~ **6199** of this Illinois Register.

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Assessment for Determining Eligibility and Rehabilitation Needs

- 2) Code Citation: 89 Ill. Adm. Code 553

- 3) Section Numbers:
553.130 Proposed Action:
553.140 Amendment
553.150 Amendment

- 4) Statutory Authority: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

- 5) A Complete Description of the Subjects and Issues Involved: The amendment to the rulemaking reflects the new federal amendment to the Rehabilitation Act. This amendment changes the number of functional capacities limited by the person's disability to qualify the individual for VR services. Other changes are made to meet the new terminology of the federal Rehabilitation Act. These include changing "severe" to "significant" and changing the Individual Written Rehabilitation Plan (IWRP) to the Individualized Plan for Employment (IPE).

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield IL 62762
Telephone number: (217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

DEPARTMENT OF HUMAN SERVICES
NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None

- B) Reporting, bookkeeping or other procedures required for compliance: None

- C) Types of professional skills necessary form compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1999

The text of the Proposed Amendment is identical to the text of the Emergency Amendment published on page **6346** of this issue of the *Illinois Register*.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED RULES

1) Heading of the Part: Conservation 2000 - Ecosystems Program

2) Code Citation: 17 Ill. Adm. Code 1523

3) Section Numbers: Proposed Action:
 1523.10 New Section
 1523.20 New Section
 1523.30 New Section
 1523.40 New Section
 1523.50 New Section
 1523.60 New Section
 1523.70 New Section
 1523.80 New Section
 1523.90 New Section
 1523.100 New Section
 1523.110 New Section
 1523.120 New Section
 1523.130 New Section
 1523.140 New Section
 1523.150 New Section
 1523.160 New Section
 1523.170 New Section
 1523.180 New Section

4) Statutory Authority: Implementing and authorized by Sections 5.400, 5.401, 62-31, and 8.25g of the State Finance Act [30 ILCS 105].

5) A Complete Description of the Subjects and Issues Involved: This Part establishes the procedures for designation of Ecosystem Partnerships and review and selection of Ecosystems Program grants.

6) Will this rulemaking replace any emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed rules contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Cindy Bushur-Hallam

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED RULES

Department of Natural Resources
 524 S. Second Street
 Springfield IL 62701-1787
 217/782-1809

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED RULES

and wildlife habitat. The program emphasizes natural resource restoration and enhancement through restoration of ecosystem functions at the watershed or landscape scale.

Section 1523.20 Definitions

"Comprehensive Environmental Review Process (CERP)" a standardized process used within the Department of Natural Resources to review agency actions, including funding of grants or projects, for compliance with a number of Illinois statutes protecting vulnerable natural or cultural resources, including but not limited to, natural areas, wetlands, threatened and endangered species, and archeological sites.

"Director" means Director of the Illinois Department of Natural Resources.

"Department" means the Illinois Department of Natural Resources.

"Ecosystem Coordinator" a regional Department of Natural Resources staff person assigned by the Director as the primary departmental contact to an Ecosystem Partnership.

"Ecosystem Partnerships" means a coalition of people and interest groups who protect and enhance the natural resources of representative ecosystems on a watershed basis by promoting compatible economic development and sustainable land use practices, which has been designated by the Director to participate in the Ecosystems Program of Conservation 2000 (C2000).

"Ecosystem Partnership Area" means the area within the boundaries of a designated Ecosystem Partnership as requested by and on record with the Illinois Department of Natural Resources.

"Ecosystem Program Manager" means the budget, finance, and personnel coordinator for the Ecosystems Program.

"Local Partnership Council" means a group of individuals from a designated Ecosystem Partnership appointed by the Director of the Department of Natural Resources to review and make recommendations for funding of Ecosystem Projects.

"Ecosystem Projects" means competitively funded projects designed to protect or restore the natural resources of, or promote compatible or sustainable economic uses within, specific Ecosystem Partnership areas.

Section 1523.30 Ecosystem Partnership Designation

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED RULES

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER d: FORESTRY

PART 1523
CONSERVATION 2000 - ECOSYSTEMS PROGRAM

- Section 1523.10 Program Objective
- 1523.20 Definitions
- 1523.30 Ecosystem Partnership Designation
- 1523.40 Withdrawal of Designation
- 1523.50 Ecosystem Planning Grants
- 1523.60 Ecosystem Planning Grant Eligibility
- 1523.70 Ecosystem Planning Grant Application
- 1523.80 Ecosystem Planning Grant Limitations, Award, and Notification
- 1523.90 Ecosystem Project Grants
- 1523.100 Ecosystem Project Grant Eligibility
- 1523.110 Ecosystem Project Grant Application Process
- 1523.120 Ecosystem Project Grant Application
- 1523.130 Review of Ecosystem Projects
- 1523.140 Selection and Notification of Ecosystem Project Grant Awards
- 1523.150 Ecosystem Partnership Support Grants
- 1523.160 Ecosystem Planning, Project, and Support Grant Execution and Reimbursement
- 1523.170 Ecosystem Planning, Project, and Support Grant Compliance Requirements
- 1523.180 Program Information/Contact

AUTHORITY: Implementing and authorized by Sections 5,400, 5,401, 62-31, and 8.25g of the State Finance Act [30 ILCS 105].

SOURCE: Adopted at 23 Ill. Reg. _____, effective _____.

Section 1523.10 Program Objective

The Ecosystems Program was developed to establish and protect a system of representative, functioning ecosystems in both public and private ownership by providing incentives to landowners. The Ecosystems Program of Conservation 2000 provides technical and financial assistance to Ecosystem Partnerships, watershed or ecosystem-based coalitions of people who are cooperating to improve the natural resource base of the watersheds where they live, work, and play, while promoting compatible and sustainable economic activity. It is the objective of the Ecosystems Program to promote the formation of these partnerships in representative complexes of watersheds that are "resource rich," i.e., that possess significant concentrations of rare and/or vulnerable natural resources and also possess significant concentrations of general fish

DEPARTMENT OF NATURAL RESOURCES

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- a) Coalitions of interests interested in being designated as an Ecosystem Partnership may request designation by writing the Director and providing:

- 1) Their organizing principles, mission statement, constitution, charter, articles of incorporation, or statement of Ecosystem Partnership.
- 2) A map of the boundaries of the proposed Ecosystem Partnership.
- 3) A list of members or participants in the proposed Ecosystem Partnership, both individual and organizational.
- 4) A description of the Partnership area's natural resource condition or natural resource significance.
- 5) A list of proposed Local Partnership Council members, their names, addresses, telephone numbers, fax numbers, E-mail addresses, and affiliations, and a description of the interests they represent.

- b) The Director shall grant or deny designation as an Ecosystem Partnership in writing within 90 days after the receipt of the request. The Director shall consider the following criteria in reaching that decision:

- 1) The relationship between the mission or purpose of the proposed Partnership and the mission and policies of the Department.
- 2) The natural resource significance of the ecosystems or watersheds proposed for inclusion in the proposed partnership area, e.g., whether they have been recognized as Resource Rich Areas of Illinois as described in the publication: Inventory of Resource Rich Areas in Illinois: An Evaluation of Ecological Resources (Suloway et al., Illinois Department of Natural Resources, 1996), or whether they possess complexes of natural areas recognized by the Illinois Natural Areas Inventory, or otherwise possess landscape-scale natural resource attributes of regional significance.
- 3) The representation of interests associated with the proposed partnership.
- 4) The coalition's demonstrated ability to achieve its stated goal, its potential to achieve that goal given its composition and demonstrated leadership, and the organizational skills of members.
- 5) Technical and financial resources available for program expansion.
- 6) Other potential local support for the proposed partnership.

Section 1523.40 Withdrawal of Designation

Three years after the initial designation of an Ecosystem Partnership, and every 3 years thereafter, the Department of Natural Resources will review the status of Ecosystem Partnerships. Based on this review the Director may reaffirm that designation or withdraw the designation. If the designation is withdrawn, the subject partnership will no longer be eligible for Ecosystems Program support or Ecosystem Planning or Ecosystem Project funding. The review

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shall consider:

- a) Whether the Ecosystem Partnership has formally adopted goals.
- b) Whether the Ecosystem Partnership has demonstrated progress towards those goals.
- c) Whether the membership of the Ecosystem Partnership has remained broad and inclusive.
- d) Whether the Ecosystem Partnership meets regularly and can demonstrate good attendance.

Section 1523.50 Ecosystem Planning Grants

Subject to sufficient funding, the Department will annually allocate a prescribed dollar amount for Ecosystem Planning Grants. Designated Ecosystem Partnerships may apply for up to \$10,000 by providing a Scope of Work that describes the planning process to be employed, describes the resource and economic issues to be addressed, a planning timetable, and a projected budget. Applications will be accepted continuously and grants will be made if annually allocated funds remain available when a Scope of Work acceptable to the Partnership and the Department has been agreed upon.

Section 1523.60 Ecosystem Planning Grant Eligibility

Designated Ecosystem Partnerships that have not previously received an Ecosystem Planning Grant from the Department are eligible to apply for one.

Section 1523.70 Ecosystem Planning Grant Application

A letter requesting consideration for an Ecosystem Planning Grant and a proposed Scope of Work for the planning process should be sent to the Ecosystem Projects Coordinator. At a minimum the Scopes of Work should identify:

- a) The Planning Goals.
- b) The Expected Outcomes.
- c) The Plan Development Process, including the planning process to be employed, members of the planning team, party or parties responsible for writing the plan, and the primary liaison with the Ecosystems Program of the Department.
- d) Any data needs.
- e) Resource and economic concerns to be addressed, including ecological values, socioeconomic values, and protection and management issues, so far as they may be known.
- f) Coordination efforts with other local, regional, or State agencies, institutions, or organizations.
- g) A timetable for project completion.
- h) An itemized budget.

Section 1523.80 Ecosystem Planning Grant Limitations, Award, and Notification

Ecosystem Planning grants are limited to \$10,000. They will be awarded on a

DEPARTMENT OF NATURAL RESOURCES

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first come-first served basis to eligible applicants subject to availability of funds, once a Scope of Work mutually agreeable to the applicant and the Department has been developed. The Director shall notify an applicant in writing when an agreed Scope of Work has been approved. The applicant will also be notified at that time or when funds are subsequently available of the Ecosystem Planning Grant Award.

Section 1523.90 Ecosystem Project Grants

Ecosystem Project Grants are competitively selected grants to conduct projects in Ecosystem Partnership Areas. Grant funds are provided on a reimbursement basis. Matching dollars are not required, although the rate of match will be considered as a competitive criterion. Ecosystem Projects are awarded in 5 categories: Habitat Projects, Research Projects, Outreach Projects, Resource Economics Projects, and Capital Projects. Because Capital Projects employ Capital Development Bond Funds, capital projects are limited to habitat protection or habitat enhancement projects that include land acquisition, acquisition of conservation easements, or cost-share practices covered in the C2000 - Natural Resources Cost-Share Program administrative rule (17 Ill. Adm. Code 1522). If Habitat or Capital Projects seek Ecosystem Project funding for habitat enhancement practices described in the Conservation 2000 - Natural Resources Cost-Share administrative rule, the conditions of installation and maintenance of the practices prescribed in the rule must be complied with, although the match requirements and dollar caps described in the rule shall not apply. If it is more expedient to fund an Ecosystem Project with another municipal, State, or federal agency through an intergovernmental agreement, rather than a grant agreement, this mechanism may be utilized as an alternative, provided all other conditions for a grant agreement expressed herein are incorporated as conditions of the intergovernmental agreement.

Section 1523.100 Ecosystem Project Grant Eligibility

Any individual, organization, or corporation may apply for grants to undertake Ecosystem Projects within Ecosystem Partnership Areas.

Section 1523.110 Ecosystem Project Grant Application Process

Applications for Ecosystem Projects must be mailed to the Department of Natural Resources, Ecosystems Program and be postmarked on or before February 16 of the year preceding the fiscal year during which the applicant is requesting funding (e.g., by February 16, 1998 for Fiscal Year 1999 funding). Project applications must be completed on official forms to be considered for funding. Forms may be requested from the Department of Natural Resources, Ecosystems Program at the contact address and telephone number listed in Section 1523.180. Applications will not be accepted by facsimile machine. The Department may accept applications over the Internet.

Section 1523.120 Ecosystem Project Grant Application

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED RULES

- a) An applicant for an Ecosystem Project Grant must submit a description of the proposed Ecosystem Project on the required application. The application shall be prescribed by the Department and is available from the program contact location described in Section 1523.180 of this part.
- b) The application shall at a minimum require:
 - 1) The name of the Ecosystem Partnership Area in which the Ecosystem Project is to be executed.
 - 2) The name and address of the applicant, and the name and address of a contact person if different than the applicant.
 - 3) A project title.
 - 4) A description of the proposed project.
 - 5) A project budget identifying, at a minimum, the requested amount of C2000 funds, any matching funds or in-kind labor.
 - 6) The attachment of maps, e.g., U.S. Geological Survey, 1:24,000 Topographic maps or county plat maps, and design plans that allow the site-specific assessment of potential natural resource impacts of projects that will alter vegetation or otherwise alter surface features.

- c) The application shall also identify allowed attachments beyond those required in Section 1523.120(b)(6) above. At the discretion of the Ecosystems Program Coordinator attachments not allowed will be removed before further consideration of the project. Applications submitted on previously approved versions of the form will be returned with a copy of the current form and allowed a maximum of 15 days for resubmittal. Forms submitted by the initial deadline that are incomplete or have inadequate maps or design plans to allow site specific review of alterations of vegetation or surface features will be returned to the applicant for completion or rectification and allowed a maximum of 15 days for resubmittal. Resubmitted applications that are incomplete or lack adequate maps or design plans to allow site-specific review of alterations of vegetation or surface features or are not received within the 15 calendar day extension will not be further considered for funding during that grant cycle.

Section 1523.130 Review of Ecosystem Projects

Applications received by the Department will be provided to the appropriate Local Partnership Council for review and recommendation to the Director, based on the Ecosystem Partnership's goals, objectives, and priorities. Each Local Partnership Council will provide a rank of High, Medium, or Low for each project. Amendments to applications recommended by the Ecosystem Partnerships made as a result of the partnership's review and agreed to by applicants may be made at this time. Department staff will also make recommendations for funding to the Director based on a review process and the collective evaluation of the following:

- a) The ratio of matching dollars and value of in-kind services to the requested C2000 dollars.

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- b) The project's Natural Resource Evaluation. The Natural Resource Evaluation is designed to assess the relative natural resource benefit of a project within each of the 5 Ecosystem Project Categories: Habitat, Research, Outreach, Resource Economics, and Capital.
- 1) The Natural Resource Evaluation for Habitat and Capital projects will take into consideration:
- Appropriateness of the project as reflected by the project's and relationship to existing plans, Department policies and objectives, and current scientific understanding.
 - The duration of the habitat protection or improvement practice, and potential cumulative benefits in relation to previously funded practices.
 - The ecological ramifications of a project. For example, use of exotic species detracts from the ecological benefits of a project; use of native species enhances the ecological benefits of a project; multi-species benefits increase overall ecological benefits; and projects that address restoration of ecosystem functions offer the greatest benefits.
 - Relative cost effectiveness.
 - Follow-up monitoring of effectiveness of a project. Projects that include follow-up monitoring will receive greater consideration.
- 2) The Natural Resource Evaluation for Research projects will take into consideration:
- The degree to which the proposed research helps formulate or advance partnership goals and any existing watershed management goals or plans.
 - Validity of the research design and methodology.
 - Expertise of the investigators.
 - Appropriateness of the budget given the scope and time line for the project.
 - Availability of the research results. The results of the investigation must be made available to the Ecosystem Partnership and the Department, at a minimum, in a timely manner after completion of the research.
- 3) The Natural Resource Evaluation for Outreach projects will take into consideration:
- Relationship to a resource management plan or in the absence of a plan the Department's educational and/or resource management goals.
 - The breadth of the audience to be reached.
 - The quality of the educational materials to be produced.
 - Measures included to ensure technical accuracy of written materials and consistency with stated Department policies.
 - Efforts to assess the effectiveness of outreach efforts.
- 4) The Natural Resource Evaluation for Resource Economics projects will take into consideration:

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- The relationship between the proposed project and the partnership's goals.
 - The relationship between project cost and direct economic benefits to be generated.
 - Validity of models and statistical techniques employed in forecasting economic benefits.
 - The potential applicability of project results to other partnerships.
- c) The project's Partnership Performance Evaluation. The Partnership Performance Evaluation is based primarily on the Local Partnership Council Rank, but may also consider:
- The relationship between the Ecosystem Partnership's stated goals and any published watershed plan endorsed by the partnership.
 - Consistency with the watershed approach.
 - The participation of volunteers (whose efforts have not been included as in-kind value) in implementation.
 - The participation of multiple partners with a high level of coordination between partners.
 - Whether an applicant has previously received funding under this program, and if so, the past performance.
 - The potential for educational interpretation of amenities to be developed as part of the project.
- d) The relative distribution of requests between the 5 Ecosystem Project categories and the distribution of highly ranked projects within each of the 5 project categories.
- e) Results of the Department's Comprehensive Environmental Review Process (CERP). The CERP assesses the potential for negative natural resource impacts and project conformance with other natural resource regulatory statutes.
- f) Other factors, such as special funding, relationship to Departmental initiatives and plans including the Statewide Outdoor Recreation Partnership plan, potential value to other partnerships, etc., will be considered, when applicable, to the selection of projects.

Section 1523.140 Selection and Notification of Ecosystem Project Grant Awards

The Director shall select projects for funding based on the recommendations of the Ecosystem Partnerships and of Department staff participating in the evaluation processes described above. Project selections will be publicly announced and successful applicants will be notified. Upon notification successful applicants will be provided with an outline for a Scope of Work that will be used to develop a grant agreement that will be mailed to the applicant. The applicant must sign and return the grant agreement, but must not begin work until it receives a fully executed copy signed by the Director.

Section 1523.150 Ecosystem Partnership Support Grants

Upon a determination by the Director that it will benefit the work of the

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Ecosystem Partnerships and subject to sufficient funding, the Department may provide grants of equipment, supplies, training, services, or other support to Ecosystem Partnerships. The Department shall formulate the conditions of the grant agreement and make Ecosystem Partnership Support Grants available, subject to the conditions of the grant agreements, on either a first-come-first-served basis or a competitive basis subject to the same review criteria outlined for Ecosystem Project Grants in Section 1523.130.

Section 1523.160 Ecosystem Planning, Project, and Support Grant Execution and Reimbursement

Payment of grant funds will be on a reimbursement basis. However, up to 40% of the granted dollars may be advanced upon a determination that the applicant is prepared to carry out the conditions of the grant. The Director may determine that a higher rate of advanced payment is warranted if it is in the interest of the Department. No work is to begin until a grant agreement has been fully executed between the applicant and the State of Illinois. Work begun before the date of execution of the grant agreement is not reimbursable.

a) At the Department's discretion and with the Department's written approval, expenditures made by the applicant in support of an awarded project made after the date of the press release announcing the award, but before the execution of a grant agreement, may be counted toward the required match. Reimbursement will be pro-rated should the applicant fail to expend the identified match dollars. To initiate a payment under the grant agreement, whether it be an advance payment, interim payment, or final payment, it must be requested through the Ecosystem Coordinator appointed to each Ecosystem Partnership.

b) For approval of an advance payment the applicant must provide evidence of its capacity to begin implementation of a project. For reimbursement payments for completed work, beyond any advance payment and up to and including final payment, evidence of progress toward project completion as outlined in the grant agreement, evidence of expenditure of matching dollars, and signed receipts for all expenditures must accompany all requests for reimbursement. Reimbursements for travel, lodging, and/or per diem shall not be above prevailing State rates set by the Governor's Travel Control Board. Upon signing of the reimbursement request by the Ecosystem Coordinator, the reimbursement request and all supporting documentation must be forwarded to the Ecosystems Program at the contact address provide in Section 1523.180. If the supporting documentation is in order, the Ecosystems Program Manager will process a voucher for payment by the Comptroller. For final payment on a completed project, a final report must be received and approved by the Ecosystem Coordinator. The final report shall contain details of the methods used to fulfill the grant agreement and documentation of completion of the project in accordance with the terms and conditions of the grant agreement.

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Section 1523.170 Ecosystem Planning, Project, and Support Grant Compliance Requirements

All recipients of Ecosystem Planning, Ecosystem Project or Ecosystem Partnership Support Grants must comply with the following program requirements:

- The grantee must notify the media that the Ecosystem Planning Process or Ecosystem Project received funding from the State of Illinois, Department of Natural Resources, Conservation 2000 Fund. All publications, written documents, news articles, TV and radio releases, interviews and personal presentations that relate to this project must credit the Department and Conservation 2000. A notice crediting Conservation 2000 must be posted at the main entrance to the program. Property or interest in real property purchased under the program. The grantee must provide a written report to the Department by December 31 of each of the first four years for grants or agreements that include the purchase of equipment and/or computer software. Equipment and/or computer software usage reports must include a description of the material, a description of habitat management accomplished, resources protected, theft prevention measures, property and license controls, and a quantitative measure of equipment and/or software usage. Equipment and/or software purchased by the grantee, under the terms of a grant, shall become the property of the grantee. Equipment and/or software acquired under this program may not be employed for commercial purposes, and may only be used for purposes similar to those described in the Ecosystem Planning or Ecosystem Project Grant Agreement.
- The grantee must provide a written report to the Department within 90 days after receipt of notice of the award of Conservation 2000 Funds for conservation or habitat practices, land acquisition or a conservation easement. The report shall be for the portion(s) of the property covered by a practice, acquisition or easement funded in part or solely by the Department. The report shall include specifics on the project site, ownership, conditions, changes, and any issues specified in the grant agreement. Thereafter, the grantee must provide a written report containing the same information required above, once every 5 years to the Department, throughout the life of the practice, throughout the duration of the easement, or as long as the acquisition is held in the grantee's ownership. It shall be the obligation of the grantee to ensure that the reporting requirements shall also be binding on any successors or assigns.
- If the purchase of equipment and/or computer software is part of an Ecosystem Planning, Ecosystem Project or Ecosystem Partnership Support Grant, and the cost of that equipment and/or software, individually or in aggregate from the same vendor, meets or exceeds \$10,000, the equipment must either be purchased through an established State, federal or municipal procurement process, or purchased through a competitive procurement process. In the latter case, documentation of invitation, submission, opening, evaluation, correction, withdrawal,

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- and award of bids will be required for reimbursement.
- e) If the purchase of professional or artistic services, computer equipment, software or services, or telecommunication equipment, software or services is identified as a project component, the grantee must develop a written process for the solicitation of competitive sealed proposals, unless the grantee determines, in writing, that competitive sealed bidding for a single other procurement is not practical or advantageous; or the grantee determines, in writing, that sole source procurement is the most economically feasible solution.
 - f) All equipment, materials, supplies or personal property purchased through the C2000 program is subject to retrieval by the Department and/or reassignment by the Director upon dissolution of the grantee, future abandonment by the Ecosystem Planning Process, Ecosystem Project or Ecosystem Support Function, or as a result of grantee non-compliance with the terms and conditions of the grant. All property retrieved by the Department shall be reassigned by the Director for uses as similar as possible to the original Ecosystem Planning Process, Ecosystem Project or Ecosystem Support purposes.
 - g) Any real property or interest in real property purchased with State funds under the C2000 program must be available for inspection by Department staff to determine compliance with provisions of such purchase and/or provisions of the grant. Any diversion of such property from its stated uses shall be grounds for recovery of the funds granted toward purchase of the property. The grantee shall replace the property, upon a determination that a diversion has occurred, if the diversion is not addressed to the Department's satisfaction. The Department shall provide written acceptance of the proposed replacement property. Failure to comply with the notification and request for repayment will render the grantee ineligible for participation in this or any other Departmental grant or cost-share programs. Should the grantee fail to repay the granted funds plus interest, the Department may avail itself of judicial means of recovery.
 - h) The grantee is fully responsible for and must assume all operation and maintenance costs and responsibilities associated with an Ecosystem Planning Process, Ecosystem Project or Ecosystem Partnership Support Grant. The Department will not be responsible for any operation and maintenance costs associated with an Ecosystem Planning Process, Ecosystem Project, or Ecosystem Partnership Support Function, unless that project has been implemented upon Department property, and only with approval prior to submission of the application for the project.
 - i) Any Conservation 2000 monies not expended or legally obligated at the completion of an Ecosystem Planning Process or Ecosystem Project, or during the term of an Ecosystem Partnership Support Grant, must be returned to the Department for deposit in the Conservation 2000 Fund within 45 days. Any expenditure by the grantee that does not comply with the grant will be disallowed and must be returned to the Department for deposit in the Conservation 2000 Fund. Conservation

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- 2000 Fund monies received as an advance payment shall become part of the project principal and must be reported as a part of expenditure documentation. In accordance with Section 10 of the Illinois Grant Funds Recovery Act [30 ICS 705/10] all interest earned on funds held by the grantee shall become part of the grant when earned. Any interest earned under the grant and not expended as grant principal during the term of the grant shall be returned to the Department.
- j) No equipment, materials, supplies or real property purchased as part of an Ecosystem Project or Ecosystem Partnership Support Grant shall be transferred or disposed of or used in a manner other than specified by the grant without approval of the Director.
 - k) If Department funds are used, partially or solely, to install land management practices on a property or acquire interests in real property, the grantee cannot develop or use that property in any manner that is not compatible with sustaining the practices or with perpetuating the ecological conditions that were preserved through the acquisition, respectively, unless otherwise specified in the terms and conditions of the grant. No changes or disturbance will be allowed by the grantee on that portion of the property covered by a Ecosystem Project, unless otherwise stipulated in the terms and conditions of the grant, without the written approval of the Director of the Department of Natural Resources. The terms and conditions of this grant shall be binding on the grantee and any successors or assigns or interests in the real property.
 - l) If the grantee possesses the discretionary authority in the terms and conditions to allow the owner of any outstanding interest in real property acquired through an Ecosystem Project to do capital improvements, remove vegetation, disturb soil or similar activities, the grantee shall consult with the Department at least 60 days in advance of providing such approvals. The Department shall reply to the grantee, in writing, pursuant to the proposed action of the owner. Department of Natural Resources representatives must have access to an Ecosystem Project at any reasonable time during project development and after completion to assess progress or to ensure continuing compliance with program requirements.
 - n) Before information, media, or publicity materials associated with an Ecosystem Planning, Ecosystem Project or Ecosystem Partnership Support Grant are printed, released or otherwise duplicated, the Department must review and approve such material. All such materials must credit the Department and Conservation 2000.
 - o) The grantee of an Ecosystem Planning or Ecosystem Project Grant must prepare a Scope of Work document for inclusion in the grant agreement. The Scope of Work document must include, at minimum, the location, schedule, process, procedures, staff, subgrantees, budget, and end product of the project being funded by Conservation 2000 Funds.
 - p) The grantee of an Ecosystem Planning, Ecosystem Project or Ecosystem Partnership Support Grant must certify, in writing, that it will comply with all the terms and conditions of the grant agreement for

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that grantee's specific project.

Section 1523.180 Program Information/Contact

Illinois Department of Natural Resources
Office of Realty and Environmental Planning
Conservation 2000, Ecosystems Program
Lincoln Tower Plaza
524 South Second Street
Springfield IL 62701-1787
Telephone: 217-782-7940

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1) Heading of the Part: Primary Drinking Water Standards

2) Code citation: 35 Ill. Adm. Code 611

3) Section Numbers: Proposed Action:

611.101 Amended

611.102 Amended

611.111 Amended

611.112 Amended

611.131 Added

611.131 Added

611.160 Amended

611.212 Amended

611.220 Amended

611.232 Amended

611.250 Amended

611.310 Amended

611.312 Added

611.313 Added

611.380 Added

611.381 Added

611.382 Added

611.383 Added

611.384 Added

611.385 Added

611.688 Added

611.720 Amended

611.740 Added

611.741 Added

611.742 Added

611.743 Added

611.744 Added

611.745 Added

611.851 Amended

611.853 Amended

611.861 Added

611.882 Added

611.883 Added

611.884 Added

611.885 Added

611.App. A Amended

611.App. F Added

611.App. G Added

611.App. H Added

4) Statutory authority: 415 ILCS 5/17, 17.5, and 27

5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's opinion and order of May

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6, 1999, proposing amendments in docket R99-12 for public comment, which opinion and order is available from the address below. As is explained in that opinion, the Board will receive public comment on the proposed amendments for 45 days from the date they appear in the *Illinois Register* before proceeding to adopt amendments based on this proposal.

This proceeding would update the Illinois drinking water regulations based on the mandates of the federal Safe Drinking Water Act (SDWA), 42 USC Section 300f et seq. (1998); major new requirements were triggered by the SDWA Amendments of 1996. The proposed rules are "identical-in-substance" to rules adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during a single update period. The docket and time period that is involved in this proceeding is the following:

R99-12 Federal SDWA amendments that occurred during the period July 1, 1998, through December 31, 1998.

Docket R99-12 amends rules in Part 611 only.

The proposed rules will affect all of the State's public water systems (PWSs). Compliance with some of the rules is required in October, 1999, but compliance with the bulk of the rules is required by December, 2001 or 2003, depending on the system's size.

The following table briefly summarizes the federal actions in the update period:

63 Fed. Reg. 43833
(August 14, 1998)

USEPA adopted amendments that revised procedures for obtaining variances and exemptions. In addition to revising existing language for State-issued variances and exemptions from the National Primary Drinking Water Regulations (NPDWRs), the rule adds procedures and conditions under which the State may issue small system variances to PWSs serving less than 10,000 persons.

63 Fed. Reg. 44511
(August 19, 1998)

USEPA amended the public notice regulations to include consumer confidence reporting requirements as required under the SDWA Amendments of 1996. The rule requires a PWS to provide its customers with annual reports on the quality of delivered water and health risks imposed by any detected contaminants.

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63 Fed. Reg. 69390
(December 16, 1998)

USEPA adopted disinfectants and disinfection byproducts rule amendments to the NPDWRs. The new NPDWRs are for three disinfectants (chlorine, chloramines, and chlorine dioxide), two groups of organic disinfection byproducts (total trihalomethanes (TTHMs) and haloacetic acids (HAAs)), and two inorganic disinfection byproducts (chlorite and bromate). The NPDWRs consist of maximum residual disinfectant levels, maximum contaminant levels, or treatment techniques for these disinfectants and their byproducts. The NPDWRs also include monitoring, reporting and public notification requirements for these compounds.

63 Fed. Reg. 69477
(December 16, 1998)

USEPA adopted the interim enhanced surface water treatment rule amendments. The purposes of the rule are to improve control of microbial pathogens and to address risk trade-offs with disinfection byproducts. Key provisions of the rule include 99 percent Cryptosporidium removal requirements for systems that filter, strengthened turbidity standards, requirements for covers on all water reservoirs and sanitary surveys for all surface water systems. The rules add a new requirement allowing the Illinois Environmental Protection Agency (Agency) to direct a source to conduct a composite correction plan.

Section 17.5 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act does not apply to this rulemaking. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first-notice or to second-notice review by JCRA.

Will these proposed amendments replace emergency amendments currently in effect? No

Does this rulemaking contain an automatic repeal date? No

Do these proposed amendments contain incorporations by reference? Yes. Section 611.102 is the centralized listing of all documents incorporated by reference for the purposes of Part 611. The existing rules include a number of incorporations by reference. The present amendments include a routine periodic update to the version of some of the federal documents incorporated by reference. Finally, the present amendments include new documents incorporated by reference. Those documents are "Methods for the

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Determination of Inorganic Substances in Environmental Samples", August 1993, for Method 300.0, "Determination of Inorganic Anions in Drinking Water by Ion Chromatography, Revision 1.0", 1997, for Method 300.1, "Methods for the Determination of Organic Compounds" in Drinking Water-Supplement II, August 1992, for Method 552.1, "Methods for the Determination of Organic Compounds in Drinking Water-Supplement III", August 1995, for Methods 502.2, 524.2, 551.1, and 552.2, Method 4500-Cl D, Chlorine (Residual), Low-Level Amperometric Titration Method, Method 4500-Cl F, Chlorine (Residual), Amperometric Titration Method, Method 4500-Cl G, Chlorine (Residual), DPD Ferrous Titrimetric Method, Method 4500-Cl H, Chlorine (Residual), Syringaldazine (FACTS) Method, Method 4500-Cl I, Chlorine (Residual), Iodometric Electrode Technique, Method 4500-ClO2 D, Chlorine Dioxide, DPD Method, Method 4500-ClO2 E, Chlorine Dioxide, Amperometric Method II, Method 6251 B, Disinfection By-Products: Haloacetic Acids and Trichlorophenol, Micro Liquid-Liquid Extraction Gas Chromatographic Method, Method 5910 B, UV Absorbing Organic Constituents, Ultraviolet Absorption Method, Method 5310 B, TOC, Combustion-Infrared Method, Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, and Method 5310 D, TOC, Wet-Oxidation Method.

9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives: This rulemaking imposes mandates on units of local government to the extent they may own or operate a public water supply. These mandates are, however, identical-in-substance to mandates imposed by federal law.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R99-12 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Steven C. Langhoff at 217-782-2615.

Request copies of the Board's opinion and order in Docket R99-12 from Patricia Jones at 312-814-3620.

12) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking affects those small

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businesses, small municipalities, and not-for-profit corporations that own or operate a public water supply. Specifically, the present amendments will affect public water systems, including small systems that seek a small system variance.

B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive water sample analysis, reporting, bookkeeping and other procedures, including the preparation of reports, water analyses, and maintenance of operating records. Specifically, the present amendments could affect the scope of the burden imposed on all public water systems, especially small systems.

C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, a certified PWS operator, or a laboratory certified under Sections 4(n) and 17.8 of the Act. Specifically, the present amendments could affect the types of professional skills needed by all public water systems, especially small systems.

13) Regulatory Agenda on which this rulemaking was summarized: January 1999

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611

PRIMARY DRINKING WATER STANDARDS

SUBPART A: GENERAL

Section	Purpose, Scope and Applicability
611.100	Definitions
611.101	Incorporations by Reference
611.102	Severability
611.103	Agency Inspection of PWS Facilities
611.107	Delegation to Local Government
611.108	Enforcement
611.109	Special Exception Permits
611.110	Relief Equivalent to SDWA Section 1415(a) Variances
611.111	Relief Equivalent to SDWA Section 1416 Exemptions
611.112	Alternative Treatment Techniques
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611.114	Source Water Quantity
611.115	Effective Dates
611.120	Maximum Contaminant Levels and Finished Water Quality
611.121	Fluoridation Requirement
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611.130	Relief Equivalent to SDWA Section 1415(e) Small System Variance
611.131	Composite Correction Program
611.160	

SUBPART B: FILTRATION AND DISINFECTION

Section	Requiring a Demonstration
611.201	Procedures for Agency Determinations
611.202	Filtration Required
611.211	Groundwater under Direct Influence of Surface Water
611.212	No Method of HPC Analysis
611.213	General Requirements
611.220	Filtration Effective Dates
611.230	Source Water Quality Conditions
611.231	Site-specific Conditions
611.232	Treatment Technique Violations
611.233	Disinfection
611.240	Unfiltered PWS
611.241	Filtered PWS
611.242	Filtration
611.250	

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Unfiltered PWS: Reporting and Recordkeeping
Filtered PWS: Reporting and Recordkeeping
Protection during Repair Work
611.271 Disinfection following Repair
611.272

SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

Section	Point-of-Entry Devices	Use of Point-of-Use Devices or Bottled Water
611.280		
611.290		

SUBPART D: TREATMENT TECHNIQUES

Section	General Requirements
611.295	Acrylamide and Epichlorohydrin
611.296	Corrosion Control
611.297	

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL's) AND
MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDL's)

Section	Old MCLs for Inorganic Chemicals
611.300	Revised MCLs for Inorganic Chemicals
611.301	Old Maximum Contaminant Levels (MCLs) for Organic Chemicals
611.310	Revised MCLs for Organic Contaminants
611.311	Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
611.312	Maximum Residual Disinfectant Levels (MRDLs)
611.313	Turbidity
611.320	Microbiological Contaminants
611.325	Radium and Gross Alpha Particle Activity
611.330	Beta Particle and Photon Radioactivity
611.331	

SUBPART G: LEAD AND COPPER

Section	General Requirements
611.350	Applicability of Corrosion Control
611.351	Corrosion Control Treatment
611.352	Source Water Treatment
611.353	Lead Service Line Replacement
611.354	Public Education and Supplemental Monitoring
611.355	Tap Water Monitoring for Lead and Copper
611.356	Monitoring for Water Quality Parameters
611.357	Analytical Methods
611.358	Reporting
611.359	Recordkeeping
611.360	
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SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND
DISINFECTION BYPRODUCT PRECURSORS

Section

611.380	General Requirements
611.381	Analytical Requirements
611.382	Monitoring Requirements
611.383	Compliance Requirements
611.384	Reporting and Recordkeeping Requirements
611.385	Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.480	Alternative Analytical Techniques
611.490	Certified Laboratories
611.491	Laboratory Testing Equipment
611.500	Consecutive PWSs
611.510	Special Monitoring for Unregulated Contaminants

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.521	Routine Coliform Monitoring
611.522	Repeat Coliform Monitoring
611.523	Invalidation of Total Coliform Samples
611.524	Sanitary Surveys
611.525	Fecal Coliform and E. Coli Testing
611.526	Analytical Methodology
611.527	Response to Violation
611.531	Analytical Requirements
611.532	Unfiltered PWSs
611.533	Filtered PWSs

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.560	Turbidity
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SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.591	Violation of State MCL
611.592	Frequency of State Monitoring
611.600	Applicability
611.601	Monitoring Frequency
611.602	Asbestos Monitoring Frequency

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611.603

Inorganic Monitoring Frequency

611.604

Nitrate Monitoring

611.605

Nitrite Monitoring

611.606

Confirmation Samples

611.607

More Frequent Monitoring and Confirmation Sampling

611.608

Additional Optional Monitoring

611.609

Determining Compliance

611.610

Inorganic Monitoring Times

611.611

Inorganic Analysis

611.612

Monitoring Requirements for Old Inorganic MCLs

611.630

Special Monitoring for Sodium

611.631

Special Monitoring for Inorganic Chemicals

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.640	Definitions
611.641	Old MCLs
611.645	Analytical Methods for Organic Chemical Contaminants
611.646	Phase I, Phase II, and Phase V Volatile Organic Contaminants
611.647	Sampling for Phase I Volatile Organic Contaminants (Repealed)
611.648	Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
611.650	Monitoring for 36 Contaminants (Repealed)
611.657	Analytical Methods for 36 Contaminants (Repealed)
611.658	Special Monitoring for Organic Chemicals

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.680	Sampling, Analytical and other Requirements
611.683	Reduced Monitoring Frequency
611.684	Averaging
611.685	Analytical Methods
611.686	Modification to System
611.687	Sampling for THM Potential
611.688	Applicability Dates

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section

611.720	Analytical Methods
611.731	Gross Alpha
611.732	Mannmade Radioactivity

SUBPART R: ENHANCED FILTRATION AND DISINFECTION

Section

611.740	General Requirements
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611.741	Standards for Avoiding Filtration
611.742	Disinfection Profiling and Benchmarking
611.743	Filtration
611.744	Filtration Sampling Requirements
611.745	Reporting and Recordkeeping Requirements

SUBPART T: REPORTING, PUBLIC NOTIFICATION AND RECORDKEEPING

Section	Applicability
611.830	Monthly Operating Report
611.831	Notice by Agency
611.832	Cross Connection Reporting
611.833	Reporting
611.840	Reporting MCL, MDDL, and other Violations
611.851	Reporting other Violations
611.852	Notice to New Billing Units
611.853	General Content of Public Notice
611.854	Mandatory Health Effects Language
611.855	Fluoride Notice
611.856	Fluoride Secondary Standard
611.858	Record Maintenance
611.860	List of 36 Contaminants

SUBPART U: CONSUMER CONFIDENCE REPORTS

Section	Purpose and Applicability of this Subpart
611.881	Compliance Dates
611.882	Content of the Reports
611.883	Required Additional Health Information
611.884	Report Delivery and Recordkeeping
611.885	Mandatory Health Effects Information
APPENDIX A	Percent Inactivation of G. Lamblia Cysts
APPENDIX B	Common Names of Organic Chemicals
APPENDIX C	Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Escherichia Coli from Drinking Water
APPENDIX D	Mandatory Lead Public Education Information
APPENDIX E	Converting Maximum Contaminant Level (MCL) Compliance Values for Consumer Confidence Reports
APPENDIX F	Regulated Contaminants
APPENDIX G	Health Effects Language
APPENDIX H	Total Coliform Monitoring Frequency
TABLE A	Fecal or Total Coliform Density Measurements
TABLE B	Frequency of PDC Measurement
TABLE C	Number of Lead and Copper Monitoring Sites
TABLE D	Lead and Copper Monitoring Start Dates
TABLE E	

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TABLE F	Number of Water Quality Parameter Sampling Sites
TABLE G	Summary of Monitoring Requirements for Water Quality Parameters
TABLE Z	Federal Effective Dates

AUTHORITY: Implementing Sections 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5, and 27].

SOURCE: Adopted in R88-36 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12591, effective July 28, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17 at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020, effective March 5, 1998; amended in R99-6 at 23 Ill. Reg. 2756, effective February 17, 1999; amended in R99-12 at 23 Ill. Reg. _____, effective _____.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

SUBPART A: GENERAL

Section 611.101 Definitions

As used in this Part, the term:

"Act" means the Environmental Protection Act [415 ILCS 5].

"Agency" means the Illinois Environmental Protection Agency.

BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs", including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs"). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Ai" means "inactivation ratio".

"Approved source of bottled water", for the purposes of Section 611.130(e)(4), means a source of water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply, or any other source, that has been inspected and the water sampled, analyzed, and found to be a safe and sanitary quality according to applicable laws and regulations of State and local

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government agencies having jurisdiction, as evidenced by the presence in the plant of current certificates or notations of approval from each government agency or agencies having jurisdiction over the source, the water it bottles, and the distribution of the water in commerce.

BOARD NOTE: Derived from 40 CFR 142.62(g)(2) and 21 CFR 129.3(a) (1998). The Board cannot compile an exhaustive listing of all federal, state, and local laws to which bottled water and bottling water may be subjected. However, the statutes and regulations of which the Board is aware are the following: the Illinois Food, Drug and Cosmetic Act (410 ILCS 620), the Bottled Water Act (815 ILCS 310), and the DPH Water Well Construction Code (77 Ill. Adm. Code 920), the DPH Water Well Pump Installation Code (77 Ill. Adm. Code 925), the federal bottled water quality standards (21 CFR 103.35), the federal drinking water processing and bottling standards (21 CFR 129), the federal Good Manufacturing Practices for human foods (21 CFR 110), the federal Fair Packaging and Labeling Act (15 USC 1451 et seq.), and the federal Fair Packaging and Labeling regulations (21 CFR 201).

"Best available technology" or "BAT" means the best technology, treatment techniques or other means that USEPA has found are available for the contaminant in question. BAT is specified in Subpart F of this Part.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Board" means the Illinois Pollution Control Board.

"CAS No" means "Chemical Abstracts Services Number".

"CT" or "CT(calc)" is the product of "residual disinfectant concentration" (RDC or C) in mg/L determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectant at more than one point prior to the first customer, it shall determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio". In determining the total inactivation ratio, the supplier shall determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). (See "CT(99.9).")

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"CT(99.9)" is the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT(99.9) for a variety of disinfectants and conditions appear in Tables 1.1-1.6, 2.1 and 3.1 of Section 611, Appendix B. (See "Inactivation Ratio.")

BOARD NOTE: Derived from the definition of CT in 40 CFR 141.2 (1998).

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"Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Community Water System" or "CWS" means a public water system (PWS) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

BOARD NOTE: Derived from 40 CFR 141.2 (1998). This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar cycle begins January 1, 1993, and ends December 31, 2001; the second cycle begins January 1, 2002, and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993, to December 31, 1995; the second from January 1, 1996, to December 31, 1998; the third from January 1, 1999, to December 31, 2001.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Comprehensive performance evaluation" or "CPE" is a thorough review and analysis of a treatment plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation and filtration resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

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"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which:

A precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Disinfectant contact time" or "T" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at the point where RDC is measured.

Where more than one RDC is measured, T is:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured, and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point to the RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

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T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Disinfection Byproduct" or "DBP" means a chemical byproduct that forms when disinfectants used for microbial control react with naturally occurring compounds already present in source water. DBPs include, but are not limited to, bromodichloromethane, bromoform, chloroform, dichloroacetic acid, bromate, chlorite, dibromochloromethane, and certain haloacetic acids.

"Disinfection profile" is a summary of daily Giardia lamblia inactivation through the treatment plant. The procedure for developing a disinfection profile is contained in Section 611.742.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Enhanced coagulation" means the addition of sufficient coagulant for improved removal of disinfection byproduct (DBP) precursors by conventional filtration treatment.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Enhanced softening" means the improved removal of disinfection byproduct (DBP) precursors by precipitative softening.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry

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"Haloacetic acids (five)" or "HA5" means the sum of the concentrations in milligrams per liter (mg/L) of five haloacetic acid compounds (monochloroacetic acid, dichloroacetic acid, trichloroacetic acid, monobromooacetic acid, and dibromooacetic acid), rounded to two significant figures after addition.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"HPC" means "heterotrophic plate count", measured as specified in Section 611.531(c).

"Inactivation Ratio" (AI) means:

$$AI = CT[calc]/CT[99.9]$$

The sum of the inactivation ratios, or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence:

$$B = \text{SUM}(AI)$$

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts.

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1998).

"Initial compliance period" means the three-year compliance period that begins January 1, 1993, except for the WCI's for dichloromethane, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, benzaldehyde, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diguaf, endorhall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, 2,3,7,8-TCDD, hexachlorocyclopentadiene, oxamyl, picloram, simazine, 2,3,7,8-TCDD, antimony, beryllium, cyanide, nickel, and thallium as they apply to suppliers whose supplies have fewer than 150 service connections, for which it means the three-year compliance period that begins on January 1, 1996.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Inorganic contaminants" or "IOCs" refers to that group of contaminants designated as such in United States Environmental Protection Agency (USEPA) regulatory discussions and guidance documents. IOCs include antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, mercury, nickel, nitrate, nitrite, selenium, and thallium.

BOARD NOTE: The IOCs are derived from 40 CFR 141.23(a)(4) (1998).

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point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

"Filter profile" is a graphical representation of individual filter performance, based on continuous turbidity measurements or total particle counts versus time for an entire filter run, from startup to backwash. Inclusive, that includes an assessment of filter performance while another filter is being backwashed.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Filtration" means a process for removing particulate matter from water by passage through porous media.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"GAC10" means granular activated carbon (GAC) filter beds with a empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"GC" means "gas chromatography" or "gas-liquid phase chromatography".

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Groundwater under the direct influence of surface water" is as determined in Section 611.212.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"GWS" means "groundwater system", a public water supply (PWS) that uses only groundwater sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) & 141.24(f)(2) note (1998).

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"L" means "liter".

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called legionnaires Disease.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air and in Water for Occupational Exposure, NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Maximum contaminant level" ("MCL") means the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. [See Section 611.121.]

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Maximum residual disinfectant level" or "MRDL" means the maximum permissible level of a disinfectant added for water treatment that may not be exceeded at the consumer's tap without an unacceptable possibility of adverse health effects. (See Section 611.313 and Section 611.383.)

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Maximum Total Trihalomethane Potential" or "MTHP" means the maximum concentration of total trihalomethanes (TTHMs) produced in a given water containing a disinfectant residual after 7 days at a temperature of 25° C or above.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"MFL" means millions of fibers per liter larger than 10 micrometers.

BOARD NOTE: Derived from 40 CFR 141.23(a)(4)(i) (1998).

"mg" means milligrams (1/1000th of a gram).

"mg/L" means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1998).

"MUG" means 4-methyl-umbelliferyl-beta-D-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the

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public water system (PWS) treatment facility, as measured by water transport time within the distribution system.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"nm" means nanometer (1/1,000,000,000th of a meter).

"Non-community water system" or "NCWS" or "non-CWS" means a public water system (PWS) that is not a community water system (CWS). A non-community water system is either a "transient non-community water system (TWS)" or a "non-transient non-community water system (NTNCWS)." BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Non-transient non-community water system" or "NTNCWS" means a public water system (PWS) that is not a community water system (CWS) and that regularly serves at least 25 of the same persons over 6 months per year.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"NPDWR" means "national primary drinking water regulation".

"NTU" means "nephelometric turbidity units".

"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional state requirements."

BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA 8-S--BPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O of this Part, differs from this definition in that the definition does not include the Section 611.300 inorganic MCLs.

"P-A Coliform Test" means "Presence-Absence Coliform Test".

"Paired sample" means two samples of water for Total Organic Carbon (TOC). One sample is of raw water taken prior to any treatment. The other sample is taken after the point of combined filter effluent and is representative of the treated water. These samples are taken at the same time. (See Section 611.382.)

"Performance evaluation sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency; or, for bacteriological laboratories, Public Health; or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

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BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Person" means an individual, corporation, company, association, partnership, State, unit of local government, municipality or federal agency.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 8, 1987, at 52 Fed. Reg. 25712.

"Phase II" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on January 30, 1991, at 56 Fed. Reg. 3578.

"Phase IIG" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Phase V" refers to that group of chemical contaminants promulgated by USEPA on July 17, 1992, at 57 Fed. Reg. 31776.

"Picocurie" or "pci" means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Point-of-entry treatment device" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Point-of-use treatment device" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Public Health" means the Illinois Department of Public Health.

BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs"), including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs"). For the purposes of regulation of supplies by Public Health by reference to

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this Part, "Agency" shall mean Public Health.

"Public water system" or "PWS" means a system for the provision to the public of piped water for human consumption or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS). Such term includes:

Any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system; and

Any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Radioactive contaminants" refers to that group of contaminants designated "radioactive contaminants" in USEPA regulatory discussions and guidance documents. "Radioactive contaminants" include tritium, strontium-89, strontium-90, iodine-131, cesium-134, gross beta emitters, and other nuclides.

BOARD NOTE: Derived from 40 CFR 141.25(c) Table B (1998). These radioactive contaminants must be reported in Consumer Confidence Reports under Subpart U when they are detected above the levels indicated in Section 611.720(c)(3).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to determine the qualitative condition of water from an individual sampling point or source. The Agency shall base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of source water to variation, and other vulnerability factors pertinent to the contaminant detected that may influence the quality of water.

BOARD NOTE: Derived from 40 CFR 141.23(b)(9), 141.24(f)(1)(i), and 141.24(f)(1)(iii) (1998).

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Repeat compliance period" means a compliance period that begins after the initial compliance period.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

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"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/L in a representative sample of water. For purposes of the requirement of Section 611.241(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Safe Drinking Water Act" or "SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 USC 300f et seq.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Sanitary survey" means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system (PWS) for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"SEP" means special exception permit (Section 611.110).

"Service connection," as used in the definition of public water system, does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if any of the following is true:

The water is used exclusively for purposes other than residential use (consisting of drinking, bathing, and cooking, or other similar uses);

The Agency determines by issuing a SEP that alternative water for residential use or similar uses for drinking and cooking is provided to achieve the equivalent level of public health protection provided by the applicable national primary drinking regulations; or

The Agency determines by issuing a SEP that the water provided for residential use or similar uses for drinking, cooking, and

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bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

BOARD NOTE: Derived from 40 CFR 141.2 (1998). See sections 1401(4)(B)(i)(III) and (4)(B)(i)(III) of SDWA (42 USC 300f(4)(B)(i)(III) and (4)(B)(i)(III) (1996)).

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological mechanisms.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"SOC" or "Synthetic organic chemical contaminant" refers to that group of contaminants designated as "SOCs", or "synthetic organic chemicals" or "synthetic organic contaminants", in USEPA 8-9-8 EPA regulatory discussions and guidance documents. "SOCs" include alachlor, aldicarb, aldicarb sulfone, aldicarb sulfoxide, atrazine, benzo(a)pyrene, carbendazim, chlordane, dieldrin, dibromodiphenyl ether (DBDPE), (ethylene dibromide or EDB), dibromochloropropane (DBCP), di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diaquat, endosulfan, endrin, glyphosate, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, oxydemeton-methyl, pentachlorophenol, picloram, simazine, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, 2,4,3,7,8-TCDD, and 2,4,5-TP.

"Source" means a well, reservoir, or other source of raw water.

"Special irrigation district" means an irrigation district in existence prior to May 18, 1994 that provides primarily agricultural service through a piped water system with only incidental residential use or similar use, where the system or the residential users or similar users of the system comply with either of the following exclusion conditions:

The Agency determines by issuing a SEP that alternative water is provided for residential use or similar uses for drinking or cooking to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulations; or

The Agency determines by issuing a SEP that the water provided for residential use or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

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BOARD NOTE: Derived from 40 CFR 141.2 (1998) and sections 1401(4)(B)(i)(II) and (4)(B)(i)(III) of SDWA (42 USC 300f(4)(B)(i)(II) and (4)(B)(i)(III) (1996)).

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.
BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Subpart B system" means a public water system that uses surface water or groundwater under the direct influence of surface water as a source and that is subject to the requirements of Subpart B and the analytical and monitoring requirements of Sections 611.531, 611.532, 611.533, 611.534, and 611.535 of this Part.
BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "official custodian".

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"SUVA" means specific ultraviolet absorption at 254 nanometers (nm), which is an indicator of the humic content of water. It is a calculated parameter obtained by dividing a sample's ultraviolet absorption at a wavelength of 254 nm (UV₂₅₄) (in m(-1)) by its concentration of dissolved organic carbon (in mg/L).
BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"SWS" means "surface water system", a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water".

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1998).

"System with a single service connection" means a system that supplies drinking water to consumers via a single service line.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Total Organic Carbon" ("TOC") means total organic carbon (in mg/L) measured using heat, oxygen, ultraviolet irradiation, chemical

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oxidants, or combinations of these oxidants that convert organic carbon to carbon dioxide, rounded to two significant figures.
BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Total trihalomethanes" or "TTHM" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/L), rounded to two significant figures.

BOARD NOTE: Derived from the definition of "total trihalomethanes" in 40 CFR 141.2 (1998). [See the definition of THMs for a listing of the four compounds that USEPA considers TTHMs to comprise.]

"Transient, non-community water system" or "transient non-CWS" means a non-CWS that does not regularly serve at least 25 of the same persons over six months of the year.

BOARD NOTE: Derived from 40 CFR 141.2 (1998). The federal regulations apply to all "public water systems", which are defined as all systems having at least 15 service connections or regularly serving water to at least 25 persons. (See 42 USC 300f(4)). The Act mandates that the Board and the Agency regulate "public water supplies", which it defines as having at least 15 service connections or regularly serving 25 persons daily at least 60 days per year. (See Section 3.28 of the Act [415 ILCS 5/3.28].) The Department of Public Health regulates transient non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a "point of use" or "point of entry treatment device" as defined in this Section. "Treatment" includes, but is not limited to, aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

"Trihalomethane" or "THM" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THM are:

Trichloromethane (chloroform),
Dibromochloromethane, and
Bromodichloromethane, and
tribromomethane (bromoform)

BOARD NOTE: Derived from the definitions of "total trihalomethanes" and "trihalomethanes" in 40 CFR 141.2 (1998).

"ug" means micrograms (1/1,000,000th of a gram).

"USEPA" or "U.S. EPA" means the U.S. Environmental Protection Agency.

"Uncovered finished water storage facility" is a tank, reservoir, or

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other facility that is open to the atmosphere and that is used to store water that will undergo no further treatment except residual disinfection.

BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

"VOC" or "volatile organic chemical contaminant" refers to that group of contaminants designated as "VOCs", or "volatile organic chemicals" or "volatile organic contaminants", in USEPA regulatory discussions and guidance documents. "VOCs" include benzene, dichloromethane, tetrachloromethane (carbon tetrachloride), trichloroethylene, vinyl chloride, 1,1,1-trichloroethane (methyl chloroform), 1,1-dichloroethylene, 1,2-dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane. BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) that is deficient in treatment, as determined by the appropriate local or State agency. BOARD NOTE: Derived from 40 CFR 141.2 (1998).

"Wellhead Protection Program" means the wellhead protection program for the State of Illinois, approved by USEPA under section 1428 of the SDWA.

BOARD NOTE: Derived from 40 CFR 141.71(b) (1998). The wellhead protection program includes ~~will include~~ the "groundwater protection needs assessment" under Section 17.1 of the Act, and ~~regulations-to-be adopted-in~~ 35 Ill. Adm. Code 615 et seq.

(Source: Amended at 23 Ill. Reg. _____, effective _____.)

Section 611.102 Incorporations by Reference

- a) Abbreviations and short-name listing of references. The following names and abbreviated names, presented in alphabetical order, are used in this Part to refer to materials incorporated by reference:

"Amco-AEPA-1 Polymer" is available from Advanced Polymer Systems.

"ASTM Method" means a method published by and available from the American Society for Testing and Materials (ASTM).

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"Colisure Test" means "Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water", available from Millipore Corporation, Technical Services Department.

"Dioxin and Furan Method 1613" means "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution HRGC/HRMS", available from NTIS.

"GLI Method 2" means GLI Method 2, "Turbidity", Nov. 2, 1992, available from Great Lakes Instruments, Inc.

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources", available from USEPA Science and Technology Branch.

"HASP Procedure Manual" means HASL Procedure Manual, HASL 300, available from FDA Health and Safety Laboratory.

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, available from NCRP.

"NCRP" means "National Council on Radiation Protection".

"NTIS" means "National Technical Information Service".

"New Jersey Radium Method" means "Determination of Radium 228 in Drinking Water", available from the New Jersey Department of Environmental Protection.

"New York Radium Method" means "Determination of Ra-226 and Ra-228 (Ra-02)", available from the New York Department of Public Health.

"ONCP-MUG Test" (meaning "minimal medium ortho-nitrophenyl-beta-D-galactopyranoside-4-methyl-umbelliferyl-beta-D-glucuronide test"), also called the "Autocatalysis Coilert System", is Method 922, available in "Standard Methods for the Examination of Water and Wastewater", 18th ed., from American Public Health Association.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", available from NTIS.

"Radiochemical Methods" means "Interim Radiochemical Methodology

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for Drinking Water", available from NTIS.

"Standard Methods", means "Standard Methods for the Examination of Water and Wastewater", available from the American Public Health Association or the American Waterworks Association.

"Technical Bulletin 601" means "Technical Bulletin 601, Standard Method of Testing for Nitrate in Drinking Water", July 1994, available from Analytical Technology, Inc.

"Technicon Methods" means "Fluoride in Water and Wastewater", available from Technicon.

"USDOE Manual" means "FMI Procedures Manual", available from the United States Department of Energy.

"USEPA Asbestos Methods-100.1" means Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.

"USEPA Asbestos Methods-100.2" means Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water", available from NTIS.

"USEPA Environmental Inorganics Methods" means "Methods for the Determination of Inorganic Substances in Environmental Samples", available from NTIS; "Methods for the Determination of Inorganic Substances in Environmental Samples", August 1993, for Method 300.0; "Determination of Inorganic Anions in Drinking Water by Ion Chromatography, Revision 1.0", 1997, for Method 300.1.

"USEPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples", available from NTIS.

"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water", July 1991, for Methods 502.2, 505, 507, 508, 508A, 515.1, and 531.1; "Methods for the Determination of Organic Compounds in Drinking Water--Supplement I", July 1990, for Methods 506, 547, 550, 550.1, and 551; and "Methods for the Determination of Organic Compounds in Drinking Water--Supplement II", August 1992, for Methods 515.2, 524.2, 548.1, 549.1, 552.1, and 555, available from NTIS. Methods 504.1, 508.1, and 525.2 are available from EPA EMSR; "Methods for the Determination of Organic Compounds" in Drinking Water--Supplement II, August 1992, for Method 552.1; "Methods for the Determination of Organic Compounds in Drinking Water--Supplement III", August 1995, for Methods 502.2, 524.2, 551.1, and 552.2.

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"USEPA Methods" means "Methods of Analysis by the U.S. Geological Survey--National--Water--Quality--Laboratory--Determination--of--Inorganic--and--Organic--Constituents--in--Water--and--Pluvial--Sediments", available from NTIS and USEPA.

"USEPA Interim Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", EPA 600/4-75-008 (revised), March 1976. Available from NTIS.

"USEPA Radioactivity Methods" means "Prescribed procedures for Measurement of Radioactivity in Drinking Water", EPA 600/4-80-032, August 1980. Available from NTIS.

"USEPA Radiochemical Analyses" means "Radiochemical Analytical Procedures for Analysis of Environmental Samples", March 1979. Available from NTIS.

"USEPA Radiochemistry Methods" means "Radiochemistry Procedures Manual", EPA 520/5-84-006, December 1987. Available from NTIS.

"USEPA Technical Notes" means "Technical Notes on Drinking Water Methods", available from NTIS.

"USGS Methods" means "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory--Determination of Inorganic and Organic Constituents in Water and Pluvial Sediments", available from NTIS and USGS.

"Waters Method B-1011" means "Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography", available from Millipore Corporation, Waters Chromatography Division.

b) The Board incorporates the following publications by reference:

Access Analytical Systems, Inc. See Environetics, Inc.

Advanced Polymer Systems, 3696 Haven Avenue, Redwood City, CA 94063 415-366-2626:

Amco-AEPA-1 Polymer. See 40 CFR 141.22(a) (1995). Also, as referenced in ASTM D1889.

American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005 800-645-5476:

"Standard Methods for the Examination of Water and Wastewater", 17th Edition 1989 (referred to as "Standard

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Methods, 17th ed.").

"Standard Methods for the Examination of Water and Wastewater", 18th Edition, 1992, including "Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater", 1994 (collectively referred to as "Standard Methods, 18th ed."). See the methods listed separately for the same references under American Water Works Association.

"Standard Methods for the Examination of Water and Wastewater", 19th Edition, 1995 (referred to as "Standard Methods, 19th ed.").

American Waterworks Association et al., 6666 West Quincy Ave., Denver, CO 80235 303-794-7711:

Standard Methods for the Examination of Water and Wastewater, 13th Edition, 1971 (referred to as "Standard Methods, 13th ed.").

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended and Dissolved).

Method 303, Total Radioactive Strontium and Strontium 90 in Water.

Method 304, Radium in Water by Precipitation.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended and Total).

Method 306, Tritium in Water.

Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1992 (referred to as "Standard Methods, 18th ed."):

Method 2130 B, Turbidity, Nephelometric Method.

Method 2320 B, Alkalinity, Titration Method.

Method 2510 B, Conductivity, Laboratory Method.

Method 2550, Temperature, Laboratory and Field Methods.

Method 311 B, Metals by Flame Atomic Absorption

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Spectrometry, Direct Air-Acetylene Flame Method.

Method 311 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity.

Method 4500-CN(-) C, Cyanide, Total Cyanide after Distillation.

Method 4500-CN(-) E, Cyanide, Colorimetric Method.

Method 4500-CN(-) F, Cyanide, Cyanide-Selective Electrode Method.

Method 4500-CN(-) G, Cyanide, Cyanides Amenable to Chlorination after Distillation.

Method 4500-Ci-B, Chlorine--(Residual)--Amperometric Titration Method.

Method 4500-Ci-B, Chlorine--(Residual)--Low-Level Amperometric Titration Method.

Method 4500-Ci-P, Chlorine--(Residual)--BPP--Ferrous Titrimetric Method.

Method 4500-Ci---G, Chlorine--(Residual)--BPP

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Colorimetric-Method:

Method-4500-Cl-H₂-Chlorine-(Residual)--Syringaldehyde (PACFS)-Method:

Method-4500-Cl--I₂--Chlorine--(Residual)--Iodometric Electrode-Technique:

Method 4500-ClO₂ C, Chlorine Dioxide, Amperometric Method I.

Method-4500-ClO₂-B, Chlorine-Bioxide--BPO-Method:

Method-4500-ClO₂-B, Chlorine--Bioxiide--Amperometric Method--(Proposed):

Method 4500-F(-) B, Fluoride, Preliminary Distillation Step.

Method 4500-F(-) C, Fluoride, Ion-Selective Electrode Method.

Method 4500-F(-) D, Fluoride, SPADNS Method.

Method 4500-F(-) E, Fluoride, Complexone Method.

Method 4500-H(+) B, pH Value, Electrometric Method.

Method 4500-NO₂(-) B, Nitrogen (Nitrite), Colorimetric Method.

Method 4500-NO₂(-) D, Nitrogen (Nitrate), Nitrate Electrode Method.

Method 4500-NO₂(-) E, Nitrogen (Nitrate), Cadmium Reduction Method.

Method 4500-NO₂(-) F, Nitrogen (Nitrate), Automated Cadmium Reduction Method.

Method 4500-O₃ B, Ozone (Residual) (Proposed), Indigo Colorimetric Method.

Method 4500-P E, Phosphorus, Ascorbic Acid Method.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method.

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Method 4500-Si D, Silica, Molybdosilicate Method.

Method 4500-Si E, Silica, Heteropoly Blue Method.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica.

Method 4500-SO₄(4)(2-) C, Sulfate, Gravimetric Method with Ignition of Residue.

Method 4500-SO₄(2-) D, Sulfate, Gravimetric Method with Drying of Residue.

Method 4500-SO₄(2-) F, Sulfate, Automated Methylthymol Blue Method.

Method 6610, Carbamate Pesticide Method.

Method 6651, Glyphosate Herbicide (Proposed).

Method 7110 B, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Evaporation Method for Gross Alpha-Beta.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed).

Method 7500-Cs B, Radioactive Cesium, Precipitation Method.

Method 7500-3H, B, Tritium, Liquid Scintillation Spectrometric Method

Method 7500-I B, Radioactive Iodine, Precipitation Method.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method.

Method 7500-I D, Radioactive Iodine, Distillation Method.

Method 7500-Ra B, Radium, Precipitation Method.

Method 7500-Ra C, Radium, Emanation Method.

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Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed).

Method 7500-U B, Uranium, Radiochemical Method (Proposed).

Method 7500-U C, Uranium, Isotopic Method (Proposed).

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure.

Method 9223, Chromogenic Substrate Coliform Test (Proposed).

Standard Methods for the Examination of Water and Wastewater, 19th Edition, 1995 (referred to as "Standard Methods, 19th ed.");

Method 7120-B, Gamma Spectrometric Method.

Method 7500-U C, Uranium, Isotopic Method.

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Method 4500-Cl D, Chlorine (Residual), Amperometric Titration Method.

Method 4500-Cl E, Chlorine (Residual), Low-Level Amperometric Titration Method.

Method 4500-Cl F, Chlorine (Residual), DPD Ferrous Titrimetric Method.

Method 4500-Cl G, Chlorine (Residual), DPD Colorimetric Method.

Method 4500-Cl H, Chlorine (Residual), Stryngaldazine (FACTS) Method.

Method 4500-Cl I, Chlorine (Residual), Iodometric Electrode Technique.

Method 4500-ClO(2) D, Chlorine Dioxide, DPD Method.

Method 4500-ClO(2) E, Chlorine Dioxide, Amperometric Method II.

Method 6251 B, Disinfection Byproducts: Haloacetic Acids and Trichlorophenol, Micro Liquid-Liquid Extraction Gas Chromatographic Method.

Method 5910 B, UV Absorbing Organic Constituents.

Supplement to the 19th Edition of Standard Methods for the Examination of Water and Wastewater, American Public Health Association, 1995:

Method 5310 B, TOC, Combustion-Infrared Method.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method.

Method 5310 D, TOC, Wet-Oxidation Method.

Analytical Technology, Inc. ATI Orion, 529 Main Street, Boston, MA 02129:

Technical Bulletin 601, "Standard Method of Testing for Nitrate in Drinking Water", July, 1994, PN 221890-001 (referred to as "Technical Bulletin 601").

ASTM. American Society for Testing and Materials, 1976 Race

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Street, Philadelphia, PA 19103 215-299-5585;

ASTM Method D511-93 A and B, "Standard Test Methods for Calcium and Magnesium in Water", "Test Method A--Complexometric Titration" & "Test Method B--Atomic Absorption Spectrophotometric", approved 1993.

ASTM Method D515-88 A, "Standard Test Methods for Phosphorus in Water", "Test Method A--Colorimetric Ascorbic Acid Reduction", approved August 19, 1988.

ASTM Method D859-88, "Standard Test Method for Silica in Water", approved August 19, 1988.

ASTM Method D1067-92 B, "Standard Test Methods for Acidity or Alkalinity in Water", "Test Method B--Electrometric or Color-Change Titration", approved May 15, 1992.

ASTM Method D1125-91 A, "Standard Test Methods for Electrical Conductivity and Resistivity of Water", "Test Method A--Field and Routine Laboratory Measurement of Static (Non-Flowing) Samples", approved June 15, 1991.

ASTM Method D1179-93 B "Standard Test Methods for Fluoride in Water", "Test Method B--Ion Selective Electrode", approved 1993.

ASTM Method D1293-84 "Standard Test Methods for pH of Water", "Test Method A--Precise Laboratory Measurement" & "Test Method B--Routine or Continuous Measurement", approved October 26, 1984.

ASTM Method D1688-90 A or C, "Standard Test Methods for Copper in Water", "Test Method A--Atomic Absorption, Direct" & "Test Method C--Atomic Absorption, Graphite Furnace", approved March 15, 1990.

ASTM Method D2036-91 A or B, "Standard Test Methods for Cyanide in Water", "Test Method A--Total Cyanides after Distillation" & "Test Method B--Cyanides Amenable to Chlorination by Difference", approved September 15, 1991.

ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water", approved July 28, 1972, discontinued in 1988.

ASTM Method D2460-90, "Standard Test Method for Radionuclides of Radium in Water", approved 1990.

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ASTM Method D2907-91, "Standard Test Methods for Microquantities of Uranium in Water by Fluorometry", "Test Method A--Direct Fluorometric" & "Test Method B--Extraction", approved June 15, 1991.

ASTM Method D2977-93 B or C, "Standard Test Methods for Arsenic in Water", "Test Method B--Atomic Absorption, Hydride Generation" & "Test Method C--Atomic Absorption, Graphite Furnace", approved 1993.

ASTM Method D3223-91, "Standard Test Method for Total Mercury in Water", approved September 23, 1991.

ASTM Method D3454-91, "Standard Test Method for Radium-226 in Water", approved 1991.

ASTM Method D3559-90 D, "Standard Test Methods for Lead in Water", "Test Method D--Atomic Absorption, Graphite Furnace", approved August 6, 1990.

ASTM Method D3645-93 B, "Standard Test Methods for Beryllium in Water", "Method B--Atomic Absorption, Graphite Furnace", approved 1993.

ASTM Method D3649-91, "Standard Test Method for High-Resolution Gamma-Ray Spectrometry of Water", approved 1991.

ASTM Method D3677-92, "Standard Test Method for Antimony in Water", approved June 15, 1992.

ASTM Method D3859-93 A, "Standard Test Methods for Selenium in Water", "Method A--Atomic Absorption, Hydride Method", approved 1993.

ASTM Method D3867-90 A and B, "Standard Test Methods for Nitrite-Nitrate in Water", "Test Method A--Automated Cadmium Reduction" & "Test Method B--Manual Cadmium Reduction", approved January 10, 1990.

ASTM Method D3977-90, "Standard Test Method for Isotopic Uranium in Water by Radiochemistry", approved 1990.

ASTM Method D4107-91, "Standard Test Method for Tritium in Drinking Water", approved 1991.

ASTM Method D4227-91, "Standard Test Method for Anions in Water by Ion Chromatography", approved October 15, 1991.

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ASTM Method D4785-88, "Standard Test Method for Low-Level Iodine-131 in Water", approved 1988.

ASTM Method D5174-91, "Standard Test Method for Trace Uranium in Water by Pulsed-Laser Phosphorimetry", approved 1991.

ERDA Health and Safety Laboratory, New York, NY:

HASL Procedure Manual, HASL 300, 1973. See 40 CFR 141.25(b)(2) (1995).

Great Lakes Instruments, Inc., 8855 North 55th Street, Milwaukee, WI 53223:

GLI Method 2, "Turbidity", Nov. 2, 1992.

Millipore Corporation, Technical Services Department, 80 Ashby Road, Milford, MA 01730 800-634-5476:

Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water, February 28, 1994 (referred to as "Colisure Test").

Millipore Corporation, Waters Chromatography Division, 34 Maple St., Milford, MA 01757 800-252-4752:

Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography, Method B-1011 (referred to as "Waters Method B-1011").

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD 301-657-2652:

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

NSF. National Sanitation Foundation International, 3475 Plymouth Road, PO Box 130140, Ann Arbor, Michigan 48113-0140 (telephone: 734-769-4010):

NSF Standard 61, section 9, September 1994.

NTIS. National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161 (703-487-4600 or 800-353-6847:

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"Interim Radiochemical Methodology for Drinking Water", EPA 600/4-75-008 (revised), March 1976 (referred to as "USEPA Interim Radiochemical Methods"). (Pages 1, 4, 6, 9, 13, 16, 24, 29, 34)

Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water", EPA-600/4-83-043, September, 1983, Doc. No. PB83-260471 (referred to as "USEPA Asbestos Methods-100.1").

Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water", EPA-600/4-83-043, June, 1984, Doc. No. PB94-201902 (Referred to as "USEPA Asbestos Methods-100.2").

"Methods for Chemical Analysis of Water and Wastes", March, 1983, Doc. No. PB84-128677 (referred to as "USEPA Inorganic Methods"). (Methods 150.1, 150.2, and 245.2, which formerly appeared in this reference, are available from USEPA EMSL.)

"Methods for the Determination of Metals in Environmental Samples", June, 1991, Doc. No. PB91-231498 (referred to as "USEPA Environmental Metals Methods").

"Methods for the Determination of Organic Compounds in Drinking Water", December, 1988, revised July, 1991, EPA-600/4-88/039 (referred to as "USEPA Organic Methods"). (For methods 502.2, 505, 507, 508, 508A, 515.1 and 531.1.)

"Methods for the Determination of Organic Compounds in Drinking Water--Supplement I", July, 1990, EPA-600-4-90-020 (referred to as "USEPA Organic Methods"). (For methods 506, 547, 550, 550.1, and 551.)

"Methods for the Determination of Organic Compounds in Drinking Water--Supplement II", August, 1992, EPA-600/4-92-129 (referred to as "USEPA Organic Methods"). (For methods 515.2, 524.2, 548.1, 549.1, 552.1 and 555.)

"Prescribed Procedures for Measurement of Radioactivity in Drinking Water", EPA 600/4-80-032, August 1980 (referred to as "USEPA Radioactivity Methods"). (Methods 900, 901, 901.1, 902, 903, 903.1, 904, 905, 906, 908, 908.1)

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", H.L. Krieger and S. Gold, EPA-84-73-014, May, 1973, Doc. No. PB222-154/78A.

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"Radiochemical Analytical Procedures for Analysis of Environmental Samples", March, 1979, Doc. No. EMSLIV 053917 (referred to as "USEPA Radiochemical Analyses"). (pages 1, 19, 33, 65, 87, 92)

"Radiochemistry Procedures Manual", EPA-520/5-84-006, December, 1987, Doc. No. PB-84-215581 (referred to as "USEPA Radiochemistry Methods"). (Methods 00-01, 00-02, 00-07, H-02, Ra-03, Ra-04, Ra-05, St-04)

"Technical Notes on Drinking Water Methods", EPA-600/R-94-173, October, 1994, Doc. No. PB-104766 (referred to as "USEPA Technical Notes").
BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(1) (1995): "This document contains other analytical test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996."

"Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS", October, 1994, EPA-821-B-94-005 (referred to as "Dioxin and Furans Method 1613").

New Jersey Department of Environment, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625:

"Determination of Radium 228 in Drinking Water", August 1980.

New York Department of Health, Radiological Sciences Institute, Center for Laboratories and Research, Empire State Plaza, Albany, NY 12201:

"Determination of Ra-226 and Ra-228 (Ra-02)", January 1980, revised June 1982.

Technicon Industrial Systems, Tarrytown, NY 10591:

"Fluoride in Water and Wastewater", Industrial Method #129-71W, December, 1972 (referred to as "Technicon Methods: Method #129-71W"). See 40 CFR 141.23(k)(1), footnote 11 (1995).

"Fluoride in Water and Wastewater", #380-75WE, February, 1976 (referred to as "Technicon Methods: Method #380-75WE"). See 40 CFR 141.23(k)(1), footnote 11 (1995).

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United States Department of Energy, available at the Environmental Measurements Laboratory, U.S. Department of Energy, 376 Hudson Street, New York, NY 10014-3621:

"EML Procedures Manual", 27th Edition, Volume 1, 1990.

United States Environmental Protection Agency, EMSL, Cincinnati, OH 45268 513-569-7586:

"Interim Radiochemical Methodology for Drinking Water", EPA-600/4-75-008 (referred to as "Radiochemical Methods"). (Revised) March, 1976.

"Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water" (referred to as "USEPA Organic Methods"). (For methods 504.1, 508.1, and 525.2 only.) See NTIS.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions". See NTIS.

USEPA, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington D.C. 20460:

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", October, 1989.

USGS. Books and Open-File Reports Section, United States Geological Survey, Federal Center, Box 25425, Denver, CO 80225-0425:

Methods available upon request by method number from "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory--Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments", Open File Report 93-125 or Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", 3d ed., Open-File Report 85-495, 1989, as appropriate (referred to as "USGS Methods").

I-1030-85

I-1062-85

I-1601-85

I-1700-85

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I-2598-85

I-2601-90

I-2700-85

I-3300-85

Methods available upon request by method number from "Methods for Determination of Radioactive Substances in Water and Fluvial Sediments", Chapter A5 in Book 5 of "Techniques of Water-Resources Investigations of the United States Geological Survey", 1997.

R-1110-76

R-1111-76

R-1120-76

R-1140-76

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R-1142-76

R-1160-76

R-1171-76

R-1180-76

R-1181-76

R-1182-76

c) The Board incorporates the following federal regulations by reference:

40 CFR 136, Appendix B and C (1996).

d) This Part incorporates no later amendments or editions.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 611.111 Relief Equivalent to SDWA Section 1415(a) Variances

This Section is intended to describe how the Board grants State relief as--a State equivalent to that available from USEPA under of Section 1415(a)(1)(A) and (B) of the SDWA. See Section 611.111 Table H. SDWA Section 1415 variances do

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not require ultimate compliance within five years in every situation. Variances under Sections 35-37 of the Act do require compliance within five years in every case. Consequently, a PWS may have the option of seeking State regulatory relief equivalent to an SDWA Section 1415 variance through one of three procedural mechanisms: a variance under Sections 35-37 of the Act and 35 Ill. Adm. Code 104; a site-specific rule under Sections 27-28 of the Act and 35 Ill. Adm. Code 102; or an adjusted standard under Section 28.1 of the Act and 35 Ill. Adm. Code 106.

a) The Board will may grant a PWS supplier a variance, a site-specific rule or an adjusted standard from an MCL or a treatment technique pursuant to this Section a-PPWR-in-this-Part.

1) The PWS supplier shall file a variance petition pursuant to 35 Ill. Adm. Code 102, 104, or 106, as applicable-except-as modified-or-supplemented-by-this-Section.

2) If a State requirement does not have a federal counterpart, the PWS may grant relief a-variance from the additional State requirements in-this-Part without following this Section.

b) As part of the justification for relief under this Section, showing-of arbitrary-or-unreasonable-hardship the PWS supplier shall demonstrate the following that:

1) Because of characteristics of the raw water sources and alternative sources that are reasonably available to the system, the PWS supplier cannot meet the MCL or the treatment technique is not necessary to protect the health of persons served or other-requirement; and

2) The PWS will install or has installed the best available technology (BAT) (as identified in Subpart G of this Part), treatment technique, or other means which the Agency finds available. system-has-applied-BAT-as-identified-in-Subpart-G--of this-Part. BAT may vary depending on:

A) The number of persons served by the system;

B) Physical conditions related to engineering feasibility; and

C) Costs of compliance; and

3) The variance will not result in an unreasonable risk to health as-defined-in-subsection-(g)-below.

c) In any order granting relief under this Section, the Board will prescribe a schedule for:

1) Compliance, including increments of progress, by the PWS supplier, with each MCL or treatment technique other-requirement with respect to which the relief variance was granted, and

2) Implementation by the PWS supplier of each additional control measure for each MCL treatment technique with respect to which the relief is granted or other-requirement-during-the-period ending-on-the-date-compliance-with-such-requirements-is-required.

d) Schedules A-schedule of compliance will-require-compliance-is-required or other-requirement-with-respect-to-which-the-variance-was-granted-as expeditiously-as-practicable.

1) A schedule of compliance will require compliance with each MCL or

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treatment technique with respect to which the relief was granted as expeditiously as practicable.

- 2) If the Board prescribes a schedule requiring compliance with an MCL or treatment technique for which the relief is granted later than five years from the date of issuance of the relief, the Board will:

- A) Document its rationale for the extended compliance schedule;
- B) Discuss the rationale for the extended compliance schedule in the required public notice and opportunity for public hearing; and
- C) Provide the shortest practicable time schedule feasible under the circumstances.

- e) The Board will hold at least one provide-notice-and-opportunity-for-a public hearing. In addition the Board will accept comments as appropriate pursuant to as-provided-in 35 Ill. Adm. Code 102.104 OF 106.

- f) The Board will not grant relief a variance:

- 1) From the MCL for total coliforms; provided, however, that the Board may grant a variance from the total coliform MCL of Section 611.325 for PWSs that prove demonstrate that the violation of the total coliform MCL is due to persistent growth of total coliforms in the distribution system, rather than from fecal or pathogenic contamination, from a treatment lapse or deficiency, or from a problem in the operation or maintenance of the distribution system.

- 2) From the residual disinfectant concentration (RDC) requirements of Sections 611.241(c) and 611.242(b).

3124 From 99--from any of the treatment technique requirements of Subpart B of this Part.

- g) The Agency shall promptly send USEPA the Opinion and Order of the Board granting a variance pursuant to this Section. The Board may reconsider and modify a grant of variance, or variance conditions, if USEPA notifies the Board of a finding pursuant to Section 1416 of the SDWA. As-used-in-this-Section-and-Section-611.317--unreasonable--risk to--health--level--(URHL--level)--means--the--concentration--of--a contaminant--that--will--cause--a--serious--health--effect--within--the--period of--time--specified--in--the--variance--or--exemption--requested--by--a--supplier seeking--to--come--into--compliance--by--installing--the--treatment--required to--reduce--the--contaminant--to--the--MCL--URHL--level--determinations--are made--on--the--basis--of--the--individual--contaminant--taking--into account--the--degree--by--which--the--level--exceeds--the--MCL--duration--of exposure--historical--data--and--population--exposed--A--risk--to--health is--assumed--to--be--unreasonable--unless--the--supplier--demonstrates--that there--are--costs--involved--that--clearly--exceed--the--health--benefits--to--be derived.

- h) In addition to the requirements of this Section, the provisions of Section 611.130 or 611.131 may apply to relief granted determinations made pursuant to this Section.

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BOARD NOTE: Derived from 40 CFR 141.4 (1998:1994), from Section 1415(a)(1)(A) and (B) of the SDWA and from the "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102. USEPA B-8-R-PPA has reserved the discretion to review and modify or nullify Board determinations made pursuant to this Section at 40 CFR 142.23 (1998:1994).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 611.112 Relief Equivalent to SDWA Section 1416 Exemptions Variances

This Section is intended to describe how the Board grants State relief as-a State equivalent to that available from USEPA under of Section 1416 of the SDWA. See Table H of this Part. SDWA Section 1416 exemptions do not require ultimate compliance within five years in every situation. Variances under Sections 35-37 of the Act do require compliance within 5 years in every case. Consequently, a PWS may have the option of seeking State regulatory relief equivalent to an SDWA Section 1416 exemption through one of three procedural mechanisms: a variance under Sections 35-37 of the Act and 35 Ill. Adm. Code 104; a site-specific rule under Sections 27-28 of the Act and 35 Ill. Adm. Code 102; or an adjusted standard under Section 28.1 of the Act and 35 Ill. Adm. 106.

- a) The Board will may grant a PWS supplier a variance, a site-specific rule, or an adjusted standard from any requirement-respecting an MCL or treatment technique pursuant to this Section requirement-of-an NPDR-in-this-Part.

- 1) The PWS supplier shall file a variance petition pursuant to 35 Ill. Adm. Code 102.104 or 106 as applicable--except-as-modified or-supplemented-by-this-Section.

- 2) If a State requirement does not have a federal counterpart, the Board may grant relief a variance from the additional State requirements in this Part without following this Section.

- b) As part of the justification for relief under this Section showing-of arbitrary-or-unreasonable-hardship, the PWS supplier shall demonstrate the following that:

- 1) Due to compelling factors (which may include economic factors), the PWS supplier is unable to comply with the MCL or treatment technique requirement;
- 2) The PWS supplier was:
 - A) In operation on the effective date of the MCL or treatment technique requirement; or
 - B) Not in operation on the effective date of the MCL or treatment technique requirement and no reasonable alternative source of drinking water is available to the PWS supplier; and
- 3) The relief variance will not result in an unreasonable risk to

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- health; and-
- 4) Management or restructuring changes cannot reasonably be made that will result in compliance with the NPDR.
 - c) In any order granting relief under this Section, the Board will prescribe a schedule for:
 - 1) Compliance, including increments of progress, by the PWS supplier, with each MCL and treatment technique requirement with respect to which the relief variance was granted; and
 - 2) Implementation by the PWS supplier during the period ending on the date when compliance is required of each additional control measure for each contaminant subject to the MCL or treatment technique requirement with respect to which relief was granted.
 - d) A schedule of compliance will require compliance with each MCL or other requirement with respect to which the relief variance was granted as expeditiously as practicable; but no schedule shall extend more than 12 months after the date of the relief and relief may not be requested later than three years after the otherwise applicable compliance date established in Section 1412(b)(10) of the SDWA variance, except as follows:
 - 1) The Board may extend the date for a period not to exceed three years beyond the date of the relief variance if the PWS supplier establishes that it is taking all practicable steps to meet the NPDR standard; and
 - A) The PWS supplier cannot meet the NPDR standard without capital improvements that cannot be completed within 12 months;
 - B) In the case of a PWS supplier that needs financial assistance for the necessary improvements, the PWS supplier has entered into an agreement to obtain such financial assistance; or
 - C) The PWS supplier has entered into an enforceable agreement to become a part of a regional PWS; and
 - 2) In the case of a PWS which serves 3,300 or fewer persons with 569 or fewer service connections that needs financial assistance for the necessary improvements, relief a variance under subsections (d)(1)(4) or (d)(1)(5) above may be renewed for one or more additional two year periods, not to exceed a total of four years, if the PWS supplier establishes that it is taking all practicable steps to meet the final date for compliance.
 - e) The Board will hold at least one provide notice and opportunity for a public hearing. In addition the Board will accept comments as appropriate pursuant to as provided in 35 Ill. Adm. Code 102.104, or 106.
 - f) The Agency shall promptly send USEPA 8-S-BPA the Opinion and Order of the Board granting a variance pursuant to this Section. The Board may reconsider and modify a grant of variance, or variance conditions, if USEPA 8-S-BPA notifies the Board of a finding pursuant to Section 1416 of the SDWA.

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BOARD NOTE: Derived from Section 1416 of the SDWA.

g) The Board will not grant relief a variance:

- 1) From the MCL for total coliforms; provided, however, that the Board may grant variance from the total coliform MCL of Section 611.325 for PWS that prove demonstrate that the violation of the total coliform MCL is due to persistent growth of total coliforms in the distribution system, rather than from fecal or pathogenic contamination, from a treatment lapse or deficiency, or from a problem in the operation or maintenance of the distribution system.
- 2) From any of the treatment technique requirements of Subpart B of this Part.
- 3) From the residual disinfectant concentration (RDC) requirements of Sections 611.241(c) and 611.242(b).

h) In addition to the requirements of this Section, the provisions of Section 611.130 or 611.131 may apply to relief granted determinations made pursuant to this Section.

BOARD NOTE: Derived from 40 CFR 141.4 (1998-994). USEPA 8-S-BPA has reserved the discretion to review and modify or nullify Board determinations made pursuant to this Section at 40 CFR 142.23 (1998-994).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 611.131 Relief Equivalent to SDWA Section 1415(e) Small System Variance

This Section is intended as a State equivalent of Section 1415(e) of the SDWA.

- a) Variances may be obtained from the requirement to comply with an MCL or treatment technique to a PWS serving fewer than 10,000 persons in this Section. The PWS shall file a variance petition pursuant to 35 Ill. Adm. Code 104, except as modified or supplemented by this Section.
- b) The Board will grant a small system variance to a PWS serving fewer than 3,300 persons. The Board will grant a small system variance to a PWS serving more than 3,300 persons but fewer than 10,000 persons with the approval of the USEPA. In determining the number of persons served by the PWS, the Board will include persons served by consecutive systems. A small system variance granted to a PWS also applies to any consecutive system served by it.
- c) Availability of a Variance.
 - 1) A small system variance is not available under this Section for an NPDR for a microbial contaminant (including a bacterium, virus, or other organism) or an indicator or treatment technique for a microbial contaminant.
 - 2) A small system variance under this Section is available for compliance with a requirement specifying an MCL or treatment technique for a contaminant with respect to which:

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- A) An NPDES was promulgated on or after January 1, 1986, and the USEPA has published a small system variance technology pursuant to Section 1412(b)(15) of the SDWA.
- BOARD NOTE: Small system variances are not available for PWSs above the pre-1986 MCL even if subsequently revised. If the USEPA revises a pre-1986 MCL and makes it more stringent, then a variance would be available for that contaminant, but only up to the pre-1986 maximum contaminant level.
- d) No small system variance will be in effect until the later of the following:
- 1) 90 days after the Board proposes to grant the small system variance;
 - 2) If the Board is proposing to grant a small system variance to a PWS serving fewer than 3,300 persons and the USEPA objects to the small system variance, the date on which the Board makes the recommended modifications or responds in writing to each objection; or
 - 3) If the Board is proposing to grant a small system variance to a PWS serving a population of more than 3,300 and fewer than 10,000 persons, the date the USEPA approves the small system variance.
- e) As part of the showing of arbitrary or unreasonable hardship, the PWS shall prove and document the following to the Board:
- 1) The PWS is eligible for a small system variance pursuant to subsection (c) of this Section;
 - 2) The PWS cannot afford to comply with the NPDES for which a small system variance is sought, including by:
 - A) Treatment;
 - B) Alternative sources of water supply;
 - C) Restructuring or consolidation changes, including ownership change or physical consolidation with another PWS; or
 - D) Obtaining financial assistance pursuant to Section 1452 of the SDWA or any other federal or State program;
 - 3) The PWS meets the source water quality requirements for installing the small system variance technology developed pursuant to guidance published under Section 1412(b)(15) of the SDWA;
 - 4) The PWS is financially and technically capable of installing, operating, and maintaining the applicable small system variance technology; and
 - 5) The terms and conditions of the small system variance ensure adequate protection of human health, considering the following:
 - A) The quality of the source water for the PWS; and
 - B) Removal efficiencies and expected useful life of the small system variance technology.
- f) Terms and Conditions.
- 1) The Board will set the terms and conditions of a small system variance issued under this Section and will include, at a minimum, the following requirements:

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- A) Proper and effective installation, operation, and maintenance of the applicable small system variance technology in accordance with guidance published by the USEPA, taking into consideration any relevant source water characteristics, and any other site-specific conditions that may affect proper and effective operation and maintenance of the technology;
- B) Monitoring requirements, for the contaminant for which a small system variance is sought; and
- C) Any other terms or conditions that are necessary to ensure adequate protection of public health, which may include:
 - 1) Public education requirements; and
 - 2) Source water protection requirements.
- 2) The Board will establish a schedule for the PWS to comply with the terms and conditions of the small system variance that will include, at a minimum, the following requirements:
- A) Increments of progress, such as milestone dates for the PWS to apply for financial assistance and begin capital improvements;
 - B) Quarterly reporting to the Agency of the PWS' compliance with the terms and conditions of the small system variance;
 - C) Schedule for the Board to review the small system variance under subsection (f)(3) of this Section; and
 - D) Compliance with the terms and conditions of the small system variance as soon as practicable, but not later than three years after the date on which the small system variance is granted. The Board may allow up to two additional years if the Board determines that additional time is necessary for the PWS to:
- 1) Complete necessary capital improvements to comply with the small system variance technology, secure an alternative source of water, or restructure or consolidate; or
 - 2) Obtain financial assistance provided pursuant to Section 1452 of the SDWA or any other federal or State program.
- g) The Board will provide notice and opportunity for a public hearing as provided in 35 Ill. Adm. Code 104, except as modified or supplemented by this Section.
- 1) At least 30 days before the public hearing to discuss the proposed small system variance, the PWS shall provide notice to all persons billed by the PWS as provided in subsection (g)(1)(A) of this Section. For billed customers, this notice must include the information listed in subsection (g)(2) of this Section. For other persons regularly served by the PWS, notice must provide sufficient information to alert readers to the proposed variance and direct them to where to receive additional information, and must be as provided in subsection (g)(1)(B) of this Section.

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Notice must be by:

- A) Direct mail, other home delivery to billed customers or other service organizations; and
- B) Any other method reasonably calculated to notify, in a brief and concise manner, other persons regularly served by the PWS. Such methods may include publication in a local newspaper, posting in public places or delivery to community organizations.

- 2) The notice in subsections (a)(1)(A) and (B) of this Section must include, at a minimum, the following:

- A) Identification of the contaminant(s) for which a small system variance is sought;
- B) A brief statement of the health effects associated with the contaminant(s) for which a small system variance is sought being sought; and, Appendix H of this Part;
- C) The address and telephone number at which interested persons may obtain further information concerning the contaminant and the small system variance;
- D) A brief summary of easily understandable terms, of the terms and conditions of the small system variance;
- E) A description of the consumer petition process under subsection (b) of this Section and information on contacting the USEPA Regional Office;
- F) A brief statement announcing the public meeting required under subsection (g)(3) of this Section, including a statement of the purpose of the meeting, information regarding the time and location for the meeting, and the address and telephone number at which interested persons may obtain further information concerning the meeting; and

- G) In communities with a large proportion of non-English-speaking residents, as determined by the Board, information in the appropriate language regarding the content and importance of the notice.

- 3) The Board will provide for at least one public hearing on the small system variance. The PWS shall provide notice in the manner required under subsection (g)(1) of this Section at least 30 days prior to the public hearing.

- 4) Prior to promulgating the final variance, the Board will respond in writing to all significant public comments received relating to the small system variance. Response to public comment and any other documentation supporting the issuance of a variance will be made available to the public after final promulgation.

- b) Any person served by the PWS may petition the USEPA to object to the granting of a small system variance within 30 days after the Board proposes to grant a small system variance for the PWS.

- 1) The Agency shall promptly send the USEPA the Opinion and Order of the Board granting the proposed small system variance. The Board will make the recommended modification, respond in writing to each

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objection, or withdraw the proposal to grant the small system variance if USEPA notifies the Board of a finding pursuant to Section 1416 of the SDWA.

- 1) In addition to the requirements of this Section, the provisions of Section 611.111, 611.112 or 611.130 may apply to relief granted pursuant to this Section.

BOARD NOTE: Derived from 40 CFR 142, Subpart K (1998).

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.160 Composite Correction Program

- a) The Agency may require in writing that a PWS conduct a Composite Correction Program (CCP). The CCP shall consist of two elements: a Comprehensive Performance Evaluation (CPE) and a Comprehensive Technical Assistance (CTA).

- 1) A CPE is a thorough review and analysis of a plant's performance-based capabilities and associated administrative, operation, and maintenance practices. It must identify factors that may be adversely impacting a plant's capability to achieve compliance and emphasize approaches that can be implemented without significant capital improvements.

- 2) For purposes of compliance with Subpart R of this Part, the comprehensive performance evaluation must consist of at least the following components: Assessment of plant performance; prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of the CPE report.

- 3) A CTA is the performance improvement phase that is implemented if the CPE results indicate improved performance potential. During the CTA phase, the PWS shall identify and systematically address plant-specific factors. The CTA is a combination of utilizing CPE results as a basis for followup, implementing process control priority-setting techniques and maintaining long-term involvement to systematically train staff and administrators.

- b) A PWS shall implement any followup recommendations made in writing by the Agency that result as part of the CCP.

- c) Agency requirements that a PWS conduct a CCP or any followup recommendations made in writing by the Agency that result as part of the CCP are appealable by a PWS pursuant to Section 40 of the Act.

BOARD NOTE: Derived from 40 CFR 142.16 (1998).

(Source: Added at 23 Ill. Reg. _____, effective _____)

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Section 611.212 Groundwater under Direct Influence of Surface Water

The Agency shall, pursuant to Section 611.201, require all CWSs to demonstrate whether they are using "groundwater under the direct influence of surface water". The Agency shall determine with information provided by the supplier whether a PWS uses "groundwater under the direct influence of surface water" on an individual basis. The Agency shall determine that a groundwater source is under the direct influence of surface water based upon:

- a) Physical characteristics of the source: whether the source is obviously a surface water source, such as a lake or stream. Other sources which may be subject to influence from surface waters include: springs, infiltration galleries, wells or other collectors in subsurface aquifers.
- b) Well construction characteristics and geology with field evaluation.
 - 1) The Agency may use the wellhead protection program's requirements, which include delineation of wellhead protection areas, assessment of sources of contamination and implementation of management control systems, to determine if the wellhead is under the influence of surface water.
 - 2) Wells less than or equal to 50 feet in depth are likely to be under the influence of surface water.
 - 3) Wells greater than 50 feet in depth are likely to be under the influence of surface water, unless they include:
 - A) A surface sanitary seal using bentonite clay, concrete or similar material,
 - B) A well casing that penetrates consolidated (slowly permeable) material, and
 - C) A well casing that is only perforated or screened below consolidated (slowly permeable) material.
 - 4) A source which is less than 200 feet from any surface water is likely to be under the influence of surface water.
- c) Any structural modifications to prevent the direct influence of surface water and eliminate the potential for Giardia lamblia cyst contamination.
- d) Source water quality records. The following are indicative that a source is under the influence of surface water:
 - 1) A record of total coliform or fecal coliform contamination in untreated samples collected over the past three years.
 - 2) A history of turbidity problems associated with the source, or
 - 3) A history of known or suspected outbreaks of Giardia lamblia, Cryptosporidium, or other pathogenic organism associated with surface water (e.g., cryptosporidiosis) that has been attributed to that source.
- e) Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity or pH.
 - 1) A variation in turbidity of 0.5 NTU or more over one year is indicative of surface influence.
 - 2) A variation in temperature of 9 Fahrenheit degrees or more over

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one year is indicative of surface influence.

- f) Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity or pH which closely correlate to climatological or surface water conditions are indicative of surface water influence.
 - 1) Evidence of particulate matter associated with the surface water, or
 - 2) Turbidity or temperature data which correlates to that of a nearby surface water source.
- g) Particulate analysis: Significant occurrence of insects or other microorganisms, algae or large diameter pathogens such as Giardia lamblia is indicative of surface influence.
 - 1) "Large diameter" particulates are those over 7 micrometers.
 - 2) Particulates must be measured as specified in the "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102.
- h) The potential for contamination by small-diameter pathogens, such as bacteria or viruses, does not alone render the source "under the direct influence of surface water".

BOARD NOTE: Derived from the definition of "groundwater under the direct influence of surface water" in 40 CFR 141.2 (1995; from the Preamble at 54 Fed. Reg. 27489 (June 29, 1989); and from the US EPA "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 611.220 General Requirements

- a) The requirements of this Subpart constitute NPDWRs. This Subpart establishes criteria under which filtration is required as a treatment technique for PWSs supplied by a surface water source and PWSs supplied by a groundwater source under the direct influence of surface water. In addition, these regulations establish treatment technique requirements in lieu of MCLs for the following contaminants: Giardia lamblia, viruses, HPC bacteria, Legionella and turbidity. Each supplier with a surface water source or a groundwater source under the direct influence of surface water shall provide treatment of that source water that complies with these treatment technique requirements. The treatment technique requirements consist of installing and properly operating water treatment processes which reliably achieve:
 - 1) At least 99.9 percent (3-log) removal or inactivation of Giardia lamblia cysts between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream

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- before or at the first customer; and
- 2) At least 99.99 percent (4-log) removal or inactivation of viruses between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer.
- b) A supplier using a surface water source or a groundwater source under the direct influence of surface water is considered to be in compliance with the requirements of subsection (a) if:
- 1) It meets the requirements for avoiding filtration in Section 611.230 through 611.232 and the disinfection requirements in Section 611.241; or
 - 2) It meets the filtration requirements in Section 611.250 and the disinfection requirements in Section 611.242.
- c) Each supplier using a surface water source or a groundwater source under the direct influence of surface water shall have a certified operator pursuant to 35 Ill. Adm. Code 603.103 and the Public Water Supply Operations Act (415 ILCS 45).
- d) Additional requirements for PWSs serving 10,000 or more persons. In addition to complying with requirements in this Subpart, PWSs serving 10,000 or more persons must also comply with the requirements of Subpart R of this Part.

BOARD NOTE: Derived from 40 CFR 141.70 (1995). The Public Water Supply Operations Act applies only to CWSs, which are regulated by the Agency. It does not apply to non-CWSs, which are regulated by Public Health. Public Health has its own requirements for personnel operating water supplies that it regulates, e.g., 77 Ill. Adm. Code 900.40(e).

(Source: Amended at 23 Ill. Reg. _____, effective _____.)

Section 611.232 Site-specific Conditions

The Agency shall consider the following site specific criteria in determining whether to require filtration pursuant to Section 611.211:

- a) Disinfection
 - 1) The supplier shall meet the requirements of Section 611.241(a) at least 11 of the 12 previous months that the system served water to the public, on an ongoing basis, unless the system fails to meet the requirements during 2 of the 12 previous months that the system served water to the public, and the Agency determines that at least one of these failures was caused by circumstances that were unusual and unpredictable.
- 2) The supplier shall meet the following requirements at the times specified for each:
 - A) The requirements of Section 611.241(b)(1), at all times the system serves water to the public; and
 - B) The requirements of Section 611.241(b)(2) at all times the system serves water to the public, unless the Agency

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- determines that any such failure was caused by circumstances that were unusual and unpredictable.
- 3) The supplier shall meet the requirements of Section 611.241(c) at all times the system serves water to the public unless the Agency determines that any such failure was caused by circumstances that were unusual and unpredictable.
 - 4) The supplier shall meet the requirements of Section 611.241(d) on an ongoing basis unless the Agency determines that failure to meet these requirements was not caused by a deficiency in treatment of the source water.
- b) Watershed control program. The supplier shall maintain a watershed control program which minimizes the potential for contamination by Giardia lamblia cysts and viruses in the source water.
- 1) The Agency shall determine whether the watershed control program is adequate to meet this goal. The Agency shall determine the adequacy of a watershed control program based on:
 - A) The comprehensiveness of the watershed review;
 - B) The effectiveness of the system's program to monitor and control detrimental activities occurring in the watershed; and
 - C) the extent to which the water system has maximized land ownership or controlled the land use within the watershed.
 - 2) At a minimum, the watershed control program must:
 - i) Characterize the watershed hydrology and land ownership;
 - ii) Identify watershed characteristics and activities which may have an adverse effect on source water quality; and
 - iii) Monitor the occurrence of activities which may have an adverse effect on source water quality.
- 2) The supplier shall demonstrate through ownership or written agreements with landowners within the watershed that it can control all human activities which may have an adverse impact on the microbiological quality of the source water. The supplier shall submit an annual report to the Agency that identifies any special concerns about the watershed and how they are being handled; describes activities in the watershed that affect water quality; and projects what adverse activities are expected to occur in the future and describes how the supplier expects to address them. For systems using a groundwater source under the direct influence of surface water, an approved wellhead protection program may be used, if appropriate, to meet these requirements.
- c) On-site inspection. The supplier shall be subject to an annual on-site inspection to assess the watershed control program and disinfection treatment process. The Agency shall conduct the inspection. A report of the on-site inspection summarizing all findings must be prepared every year. The on-site inspection must

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demonstrate that the watershed control program and disinfection treatment process are adequately designed and maintained. The on-site inspection must include:

- 1) A review of the effectiveness of the watershed control program;
 - 2) A review of the physical condition of the source intake and how well it is protected;
 - 3) A review of the system's equipment maintenance program to ensure there is low probability for failure of the disinfection process;
 - 4) An inspection of the disinfection equipment for physical deterioration;
 - 5) A review of operating procedures;
 - 6) A review of data records to ensure that all required tests are being conducted and recorded and disinfection is effectively practiced; and
 - 7) Identification of any improvements which are needed in the equipment, system maintenance and operation or data collection.
- d) Absence of waterborne disease outbreaks. The PWS must not have been identified as a source of a waterborne disease outbreak, or if it has been so identified, the system must have been modified sufficiently to prevent another such occurrence.
- e) Total coliform Getiform MCL. The supplier shall comply with the MCL for total coliforms in Section 611.325 at least 11 months of the 12 previous months that the system served water to the public, on an ongoing basis, unless the Agency determines that failure to meet this requirement was not caused by a deficiency in treatment of the source water.

- f) TTHM MCL. The supplier shall comply with the MCL for TTHM in Section 611.310. The PWS shall comply with the requirements for trihalomethanes until December 17, 2001. After December 17, 2001, the system shall comply with the requirements for total trihalomethanes, haloacetic acids (five), bromate, chlorite, chlorine, chloramines, and chlorine dioxide in Subpart I of this Part.

BOARD NOTE: Derived from 40 CFR 141.71(b) (1998a99t).

(Source: Amended at 23 Ill. Reg. _____, effective _____.)

Section 611.250 Filtration

A supplier that uses a surface water source or a groundwater source under the direct influence of surface water, and does not meet all of the criteria in Section 611.231 and 611.232 for avoiding filtration, shall provide treatment consisting of both disinfection, as specified in Section 611.242, and filtration treatment which complies with the requirements of subsection (a), (b), (c), (d) or (e) by June 29, 1993, or within 18 months after the failure to meet any one of the criteria for avoiding filtration in Section 611.231 and 611.232, whichever is later. Failure to meet any requirement after the date specified in this introductory paragraph is a treatment technique violation.

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- a) Conventional filtration treatment or direct filtration.
- 1) For systems using conventional filtration or direct filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.5 NTU in at least 95 percent of the measurements taken each month, except that, if the Agency determines, by special exception permit, that the system is capable of achieving at least 99.9 percent removal or inactivation of *Giardia lamblia* cysts at some turbidity level higher than 0.5 NTU in at least 95 percent of the measurements taken each month, the Agency shall substitute this higher turbidity limit for that system. However, in no case may the Agency approve a turbidity limit that allows more than 1 NTU in more than 5 percent of the samples taken each month.

- 2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU.
- b) Slow sand filtration.

- 1) For systems using slow sand filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 1 NTU in at least 95 percent of the measurements taken each month, except that if the Agency determines, by special exception permit, that there is no significant interference with disinfection at a higher level, the Agency shall substitute the higher turbidity limit for that system.

- 2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU.

c) Diatomaceous earth filtration.

- 1) For systems using diatomaceous earth filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 1 NTU in at least 95 percent of the measurements taken each month.

- 2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU.

- d) Other filtration technologies. A supplier may use a filtration technology not listed in subsections (a) through (c) if it demonstrates, by special exception permit application, to the Agency, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of Section 611.242, consistently achieves 99.9 percent removal or inactivation of *Giardia lamblia* cysts and 99.99 percent removal or inactivation of viruses. For a system that makes this demonstration, the requirements of subsection (b) apply. Beginning December 17, 2001, systems serving 10,000 or more persons shall meet the requirements for other filtration technologies in Section 611.743(b).

- e) Turbidity is measured as specified in Sections 611.531(d) and 611.533(a). Beginning December 17, 2001, systems serving 10,000 or more persons shall meet the turbidity requirements in Section 611.743(a).

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BOARD NOTE: Derived from 40 CFR 141.73 (19981999).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND
MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)

Section 611.310 Old Maximum Contaminant Levels (MCLs) for Organic Chemicals

The following are the MCLs for organic chemicals. The MCLs for organic chemicals in subsections (a) and (b) apply to all CWSs. Compliance with the MCLs in subsections (a) and (b) is calculated pursuant to Section 611.641 et seq. Compliance with the MCL for THM is calculated pursuant to Subpart F.

Contaminant	Level mg/L	State Requirement (*)
a) Chlorinated hydrocarbons:		
Aldrin.....	0.001	*
DDE.....	0.05	*
Dieldrin.....	0.001	*
Heptachlor.....	0.0001	*
Heptachlor epoxide.....	0.0001	*

BOARD NOTE: Originally derived from 40 CFR 141.12(a) (1994), USEPA H-S--BPA removed the last entry in this subsection and marked it reserved at 57 Fed. Reg. 31839 (July 17, 1992). USEPA H-S--BPA added another listing of organic MCLs at 40 CFR 141.61 (1994). Heptachlor, heptachlor epoxide, and 2,4-D appear in both this Section and in Section 611.311, with a different MCL in each Section. The heptachlor, heptachlor epoxide, and 2,4-D MCLs in this Section are Illinois limitations that are more stringent than the federal requirements. However, detection of these contaminants or violation of their federally-derived revised Section 611.311 MCLs imposes more stringent monitoring, reporting, and notice requirements.

b) Chlorophenoxys:

2,4-D..... 0.01 *

BOARD NOTE: Originally derived from 40 CFR 141.12(b) (1994), USEPA H-S--BPA removed the last entry in this subsection and marked it reserved at 56 Fed. Reg. 3578 (Jan. 30, 1991). See the preceding Board Note regarding the dual listing of MCLs for 2,4-D.

c) THM..... 0.10 *

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1) The MCL of 0.10 mg/L for THM applies to a Subpart B community water system that serves 10,000 or more persons, until December 16, 2001.

2) The MCL of 0.10 mg/L for THM applies to community water systems that use only groundwater not under the direct influence of surface water and serve 10,000 or more persons, until December 16, 2003.

3) After December 16, 2003, the MCL for THM in this Section is no longer applicable.

BOARD NOTE: Derived in part from 40 CFR 141.12(c) (19981994). This is an additional State requirement to the extent it applies to supplies other than CWS that add a disinfectant at any part of treatment and which provide water to 10,000 or more persons. Also derived from 40 CFR 141.12 (1998). The new MCL for THM is listed in Section 611.312.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)

a) The maximum contaminant levels (MCLs) for disinfection byproducts (DBPs) are as follows:

Disinfection Byproduct	MCL (mg/L)
Total trihalomethanes (THM)	0.080
Haloacetic acids (five) (HAA5)	0.060
Bromate	0.010
Chlorite	1.0

b) Compliance dates.

1) CWS and MNCWSs. A Subpart B system serving 10,000 or more persons shall comply with this Section beginning December 16, 2001. A Subpart B system serving fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water shall comply with this Section beginning December 16, 2003.

2) A PWS that is installing GAC or membrane technology to comply with this Section may apply to the Board for an extension of up to 24 months past the dates in subsection (b)(1) of this Section, but not beyond December 16, 2003. The Board shall grant the extension, and shall set a schedule for compliance and may specify any interim measures that the PWS must take. Failure to meet the schedule on interim treatment requirements constitutes a violation of an NPDWR.

c) The following are identified as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for disinfection byproducts (DPBs) identified in subsection (a) of this Section.

Disinfection byproduct (DBP)	Best available technology (BAT)
THM	Enhanced coagulation or enhanced softening or GAC/U, with chlorine as the primary and residual disinfectant
HAAs	Enhanced coagulation or enhanced softening or GAC/U, with chlorine as the primary and residual disinfectant
Bromate	Control of ozone treatment process to reduce production of bromate
Chlorite	Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.313 Maximum Residual Disinfectant Levels (MRDLs)

- a) Maximum residual disinfectant levels (MRDLs) are as follows:
- | | |
|-----------------------|----------------------------|
| Disinfectant residual | MRDL (mg/L) |
| Chlorine | 4.0 (as Cl ₂) |
| Chloramines | 4.0 (as Cl ₂) |
| Chlorine dioxide | 0.8 (as ClO ₂) |
- b) Compliance dates.
- 1) CWSs and NTNCWSs. A Subpart B system serving 10,000 or more persons shall comply with this Section beginning December 16, 2001. A Subpart B system serving fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water shall comply with this Section beginning December 16, 2003.
 - 2) Transient NCWSs. A Subpart B system serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant shall comply with the chlorine dioxide MRDL beginning December 16, 2001. A Subpart B system serving fewer than 10,000 persons and using chlorine dioxide as a disinfectant or oxidant and systems using only groundwater not under the direct influence of surface water and using chlorine dioxide as a disinfectant or

oxidant shall comply with the chlorine dioxide MRDL beginning December 16, 2003.

c) The following are identified as the best technology, treatment techniques, or other means available for achieving compliance with the maximum residual disinfectant levels identified in subsection (a): control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.

(Source: Added at 23 Ill. Reg. _____, effective _____)
SUBPART 1: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS
Section 611.380 General Requirements
a) The requirements of this Subpart constitute NDWRs.
1) The regulations in this Subpart establish standards under which community water systems (CWSs) and non-transient, non-community water systems (NTNCWSs) that add a chemical disinfectant to the water in any part of the drinking water treatment process must modify their practices to meet MCLs and MRDLs in Sections 611.312 and 611.313, respectively, and must meet the treatment technique requirements for DBP precursors in Section 611.385.
2) The regulations in this Subpart establish standards under which transient non-community water systems (transient non-CWSs) that use chlorine dioxide as a disinfectant or oxidant must modify their practices to meet the MRDL for chlorine dioxide in Section 611.313.

- b) Compliance dates.
- 1) CWSs and NTNCWSs. Unless otherwise noted, systems must comply with the requirements of this Subpart as follows. A Subpart B system serving 10,000 or more persons shall comply with this Subpart beginning December 16, 2001. A Subpart B system serving fewer than 10,000 persons and systems using only groundwater not under the direct influence of surface water must comply with this Subpart beginning December 16, 2003.
 - 2) Transient non-CWSs. A Subpart B system serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant shall comply with any requirements for chlorine dioxide and chlorite in this Subpart beginning December 16, 2001. A Subpart B system serving fewer than 10,000 persons and using chlorine dioxide as a disinfectant or oxidant and systems using only groundwater not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant shall comply with any requirements for chlorine dioxide and chlorite in this Subpart beginning December 16, 2003.

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- c) Each CWS and WPCWSS regulated under subsection (a) of this Section must be operated by qualified personnel who meet the requirements specified in 35 Ill. Adm. Code 680.
- d) Control of disinfectant residuals. Notwithstanding the MRDUs in Section 611.313, systems may increase residual disinfectant levels in the distribution system of chlorine or chloramines (but not chlorine dioxide) to a level and for a time necessary to protect public health, to address specific microbiological contamination problems caused by circumstances such as, but not limited to, distribution line breaks, storm run-off events, source water contamination events, or cross-connection events.

(Source: Added at 23 Ill. Reg. _____, effective _____.)

Section 611.381 Analytical Requirements

- a) Systems shall use only the analytical method(s) specified in this Section to demonstrate compliance with the requirements of this Subpart.
- b) Disinfection byproducts (DBPs).
- 1) Systems shall measure disinfection byproducts (DBPs) by the methods (as modified by the footnotes) listed in the following table:

Approved Methods for Disinfection Byproduct (DBP) Compliance Monitoring

Methodology (2)	EPA Standard method	Byproduct Measured	
		THM5	Chlorite(4) Bromate
PST/GC/EICD & PID	(3) 502.2	X	
PST/GC/MS	524.2	X	
LLE/GC/ECD	551.1	X	
LLE/GC/ECD	6251 B	X	X
SPE/GC/ECD	552.1		X
LLE/GC/ECD	552.2		X
Amperometric Titration	4500-C10(2) E		X
IC	300.0		X
IC	300.1		X

(1) X indicates method is approved for measuring specified disinfection byproduct.

(2) PST = purge and trap; GC = gas chromatography; EICD = electrolytic conductivity detector; PID = photoionization detector; MS = mass spectrometer; LLE = liquid/liquid extraction; ECD = electron capture detector; SPE = solid

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- phase extractor; IC = ion chromatography.
- (3) If TTHMs are the only analytes being measured in the sample, then a PID is not required.
- (4) Amperometric titration may be used for routine daily monitoring of chlorite at the entrance to the distribution system, as prescribed in Section 611.382(b)(2)(A)(i). Ion chromatography must be used for routine monthly monitoring of chlorite and additional monitoring of chlorite in the distribution system, as prescribed in Sections 611.382(b)(2)(A)(i) and (b)(2)(B).

- BOARD NOTE: Derived from 40 CFR 141.131(b) (1998).
- 2) Analysis under this Section for DBPs shall be conducted by laboratories that have received certification by USEPA or the Agency. To receive certification to conduct analyses for the contaminants in Section 611.312, the laboratory must carry out annual analyses of performance evaluation (PE) samples approved by USEPA or the Agency. In these analyses of PE samples, the laboratory must achieve quantitative results within the acceptance limit on a minimum of 80% of the analytes included in each PE sample. The acceptance limit is defined as the 95% confidence interval calculated around the mean of the PE study data between a maximum and minimum acceptance limit of +50% and +15% of the study mean.

- c) Disinfectant residuals.
- 1) Systems shall measure residual disinfectant concentrations for free chlorine, combined chlorine (chloramines), and chlorine dioxide by the methods (as modified by the footnotes) listed in the following table:

Approved Methods for Disinfectant Residual Compliance Monitoring

Methodology	Standard method	ASTM method	Residual Measured(1)	
			Free chlorine	Combined chlorine
Ampero-metric Titration	4500-Cl D	D 1253-86	X	X
Low Level Ampero-metric Titration	4500-Cl E			X
DPD	4500-Cl F		X	X

Ferrous Titr-metric

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DPD Color- imetric	4500-Cl G	X	X	X
Syringal- ozone (FACTS)	4500-Cl H	X		
Iodometric Electrode	4500-Cl I		X	
DPD	4500-ClO(2) D		X	
Ampero- metric Method II	4500-ClO(2) E		X	

(1) X indicates method is approved for measuring specified disinfectant residual.

BOARD NOTE: Derived from 40 CFR 141.131(c) (1998).

- 2) If approved by the Agency, systems may also measure residual disinfectant concentrations for chlorine, chloramines, and chlorine dioxide by using DPD colorimetric test kits.
- 3) A party approved by USEPA or the Agency shall measure residual disinfectant concentration.
- d) Systems required to analyze parameters not included in subsections (b) and (c) of this Section shall use the methods listed below. A party approved by USEPA or the Agency shall measure these parameters.

- 1) Alkalinity. All methods allowed in Section 611.61(a)(21) for measuring alkalinity:
- 2) Bromide. USEPA Method 300.0 or USEPA Method 300.1f.
- 3) Total Organic Carbon (TOC). Standard Method 5310 B (High-Temperature Combustion Method), Standard Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method), or Standard Method 5310 D (Wet-Oxidation Method). TOC samples may not be filtered prior to analysis. TOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 24 hours. Acidified TOC samples must be analyzed within 28 days.
- 4) Specific Ultraviolet Absorbance (SUVA). SUVA is equal to the UV absorption at 254 nm [UV(254)] (measured in m(-1)) divided by the dissolved organic carbon (DOC) concentration (measured as mg/L). In order to determine SUVA, it is necessary to separately measure UV(254) and DOC. When determining SUVA, systems must use the methods stipulated in subsection (d)(4)(A) of this Section to measure DOC and the method stipulated in subsection (d)(4)(B) of this Section to measure UV(254). SUVA must be determined on

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water prior to the addition of disinfectants/oxidants by the system. DOC and UV(254) samples used to determine a SUVA value must be taken at the same time and at the same location.

- A) Dissolved Organic Carbon (DOC). Standard Method 5310 B (High-Temperature Combustion Method), Standard Method 5310 C (Persulfate-Ultraviolet or Heated-Persulfate Oxidation Method), or Standard Method 5310 D (Wet-Oxidation Method). Prior to analysis, DOC samples must be filtered through a 0.45 micrometer pore-diameter filter. Water passed through the filter prior to filtration of the sample must serve as the filtered blank. This filtered blank must be analyzed using procedures identical to those used for analysis of the samples and must meet the following standards: DOC < 0.5 mg/L. DOC samples must be filtered through the 0.45 micrometer pore-diameter filter prior to acidification. DOC samples must either be analyzed or must be acidified to achieve pH less than 2.0 by minimal addition of phosphoric or sulfuric acid as soon as practical after sampling, not to exceed 48 hours. Acidified DOC samples must be analyzed within 28 days; and
- B) Ultraviolet Absorption at 254 nm [UV(254)]. Method 5910 B (Ultraviolet Absorption Method). UV absorption must be measured at 253.7 nm (may be rounded off to 254 nm). Prior to analysis, UV(254) samples must be filtered through a 0.45 micrometer pore-diameter filter. The pH of UV(254) samples may not be adjusted. Samples must be analyzed as soon as practical after sampling, not to exceed 48 hours; and
- 5) pH. All methods allowed in Section 611.61(a)(17) for measuring pH.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.382 Monitoring Requirements

- a) General requirements.
 - 1) Systems shall take all samples during normal operating conditions.
 - 2) Systems may consider multiple wells drawing water from a single aquifer as one treatment plant for determining the minimum number of TTHM and HAA5 samples required with Agency approval.
 - 3) Failure to monitor in accordance with the monitoring plan required under subsection (f) of this Section is a monitoring violation.
 - 4) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the system's failure to monitor makes it impossible to determine compliance with MCLs or MCLDs, this failure to monitor will be treated as a violation for

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the entire period covered by the annual average.

- 5) Systems shall use only data collected under the provisions of this Subpart or under the Information Collection Rule (40 CFR 141 Subpart M) to qualify for reduced monitoring.

- b) Monitoring requirements for disinfection byproducts (DBPs).

- 1) TTHMs and HAA5.

- A) Routine monitoring. Systems shall monitor at the frequency indicated in the following table:

Routine Monitoring Frequency for TTHM and HAA5

Type of system	Minimum monitoring frequency	Sample location in the distribution system
Subpart B system serving 500 or more persons.	Four water samples per quarter per treatment plant.	At least 25 percent of all samples collected each quarter at locations representing maximum residence time. Remaining samples taken at locations representative of at least average residence time in the distribution system and representing the entire distribution system, taking into account number of persons served, different sources of water, and different treatment methods.(1)
Subpart B system serving 500 to 9,999 persons.	One water sample per quarter per treatment plant.	Locations representing maximum residence time.(1)
Subpart B system serving fewer than 500 persons.	One sample per year per treatment plant during month of warmest water temperature.	Locations representing maximum residence time.(1) If the sample (or average of annual samples, if more than one sample is taken) exceeds MCL, system must increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until system meets reduced

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monitoring standards in Section 611.382(c).

Locations representing maximum residence time.(1)

One water sample per quarter per treatment plant.(2).

System using only groundwater not under direct influence of surface water using chemical disinfectant and serving 10,000 or more persons.

System using only groundwater not under direct influence of surface water using chemical disinfectant and serving 10,000 or more persons.

Locations representing maximum residence time.(1) If the sample (or average of annual samples, if more than one sample is taken) exceeds MCL, system must increase monitoring to one sample per treatment plant per quarter, taken at a point reflecting the maximum residence time in the distribution system, until system meets standards in Section 611.382(c) for reduced monitoring.

(1) If a system elects to sample more frequently than the minimum required, at least 25 percent of all samples collected each quarter (including those taken in excess of the required frequency) must be taken at locations that represent the maximum residence time of the water in the distribution system. The remaining samples must be taken at locations representative of at least average residence time in the distribution system.

(2) Multiple wells drawing water from a single aquifer may be considered one treatment plant for determining the minimum number of samples required.

BOARD NOTE: Derived from 40 CFR 141.132(b) (1998).

- B) Systems may reduce monitoring, except as otherwise provided, in accordance with the following table:

Reduced Monitoring Frequency for TTHM and HAA5

You may reduce monitoring if you have monitored at least one year

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If you are a...

Subpart B system
10,000 or more
persons which
has a source water
annual average
TOC level, before
any treatment,
<4.0 mg/L.

To this level

One sample per treatment
plant per quarter at
distribution system
location reflecting maximum
residence time.

TTM annual
average <0.040
mg/L and HAA5
annual average
<0.030 mg/L.

One sample per treatment
plant per year at
distribution system
location reflecting maximum
residence time during month
of warmest water
temperature. NOTE: Any
Subpart B system serving
fewer than 500 persons may
not reduce its monitoring
to less than one sample per
treatment plant per year.

TTM annual average
<0.040 mg/L and
HAA5 annual average
<0.030 mg/L.

One sample per treatment
plant per year at
distribution system
location reflecting maximum
residence time during month
of warmest water
temperature.

TTM annual average
<0.040 mg/L and
HAA5 annual average
<0.030 mg/L for
two consecutive years
OR TTM annual average
<0.020 mg/L and
HAA5 annual average
<0.015 mg/L for one
year.

One sample per treatment
plant per three year
monitoring cycle at
distribution system
location reflecting maximum
residence time during month
of warmest water
temperature, with the
three-year cycle beginning
on January 1 following
quarter in which system
qualifies for reduced
monitoring.

BOARD NOTE: Derived from 40 CFR 132(c) (1998).

C) Systems on a reduced monitoring schedule may remain on that

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reduced schedule as long as the average of all samples taken in the year (for systems which must monitor quarterly) or the result of the sample (for systems which must monitor no more frequently than annually) is no more than 0.060 mg/L and 0.045 mg/L for TTHMs and HAA5, respectively. Systems that do not meet these levels shall resume monitoring at the frequency identified in subsection (b)(1)(A) of this Section in the quarter immediately following the quarter in which the system exceeds 0.060 mg/L and 0.045 mg/L for TTHMs and HAA5, respectively.

- D) The Agency may return a system to routine monitoring. Chlorite. Community and nontransient noncommunity water systems using chlorine dioxide, for disinfection or oxidation, shall conduct monitoring for chlorite.

A) Routine monitoring.

i) Daily monitoring. Systems shall take daily samples at the entrance to the distribution system. For any daily sample that exceeds the chlorite MCL, the system shall take additional samples in the distribution system the following day at the locations required by subsection (b)(2)(B) of this Section, in addition to the sample required at the entrance to the distribution system.

ii) Monthly monitoring. Systems shall take a three-sample set each month in the distribution system. The system must take one sample at each of the following locations: near the first customer, at a location representative of average residence time, and at a location reflecting maximum residence time in the distribution system. Any additional routine sampling must be conducted in the same manner (as three-sample sets, at the specified locations). The system may use the results of additional monitoring conducted under subsection (b)(2)(B) of this Section to meet the requirement for monitoring in this subsection (b)(2)(A)(ii).

B) Additional monitoring. On each day following a routine sample monitoring result that exceeds the chlorite MCL at the entrance to the distribution system, the system shall take three chlorite distribution system samples at the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system). Reduced monitoring.

C) Chlorite monitoring at the entrance to the distribution system required by subsection

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- (b)(2)(A)(i) of this Section may not be reduced.
- ii) Chlorite monitoring in the distribution system required by subsection (b)(2)(A)(ii) of this Section may be reduced to one three-sample set per quarter after one year of monitoring where no individual chlorite sample taken in the distribution system under subsection (b)(2)(A)(ii) of this Section has exceeded the chlorite MCL and the system has not been required to conduct monitoring under subsection (b)(2)(B) of this Section. The system may remain on the reduced monitoring schedule until either any of the three individual chlorite samples taken quarterly in the distribution system under subsection (b)(2)(A)(ii) of this Section exceeds the chlorite MCL or the system is required to conduct monitoring under subsection (b)(2)(B) of this Section, at which time the system shall revert to routine monitoring.

3) Bromate.

- A) Routine monitoring. Community and nontransient noncommunity systems using ozone for disinfection or oxidation, shall take one sample per month for each treatment plant in the system using ozone. Systems shall take samples monthly at the entrance to the distribution system while the ozonation system is operating under normal conditions.

- B) Reduced monitoring. Systems required to analyze for bromate may reduce monitoring from monthly to once per quarter, if the system demonstrates that the average source water bromide concentration is less than 0.05 mg/L based upon representative monthly bromide measurements for one year. The system may remain on reduced bromate monitoring until the running annual average source water bromide concentration, computed quarterly, is equal to or greater than 0.05 mg/L based upon representative monthly measurements. If the running annual average source water bromide concentration is equal to or greater than 0.05 mg/L, the system shall resume routine monitoring required by subsection (b)(3)(A) of this Section.

C) Monitoring requirements for disinfectant residuals.

- 1) Chlorine and chloramines.
- A) Routine monitoring. Systems shall measure the residual disinfectant level at the same points in the distribution system and at the same time as total coliforms are sampled, as specified in Section 611.521. A Subpart B system may use the results of residual disinfectant concentration sampling conducted under Section 611.532 for unfiltered systems or Section 611.533 for systems that filter, in lieu of taking separate samples.

- B) Reduced monitoring. Monitoring may not be reduced.

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2) Chlorine dioxide.

- A) Routine monitoring. Community, nontransient noncommunity and transient noncommunity water systems that use chlorine dioxide for disinfection or oxidation shall take daily samples at the entrance to the distribution system. For any daily sample that exceeds the MDPDL, the system shall take samples in the distribution system the following day at the locations required by subsection (c)(2)(B) of this Section, in addition to the sample required at the entrance to the distribution system.

- B) Additional monitoring. On each day following a routine sample monitoring result that exceeds the MDPDL, the system shall take three chlorine dioxide distribution system samples. If chlorine dioxide or chloramines are used to maintain a disinfectant residual in the distribution system, or if chlorine is used to maintain a disinfectant residual in the distribution system and there are no disinfection addition points after the entrance to the distribution system (i.e., no booster chlorination), the system shall take three samples as close to the first customer as possible, at intervals of at least six hours. If chlorine is used to maintain a disinfectant residual in the distribution system and there are one or more disinfection addition points after the entrance to the distribution system (i.e., booster chlorination), the system shall take one sample at each of the following locations: as close to the first customer as possible, in a location representative of average residence time, and as close to the end of the distribution system as possible (reflecting maximum residence time in the distribution system).

- C) Reduced monitoring. Monitoring may not be reduced.

- d) Monitoring requirements for disinfection byproduct (DBP) precursors.
- 1) Routine monitoring. A Subpart B system that uses conventional filtration treatment (as defined in Section 611.101) shall monitor each treatment plant for TOC no later than the point of combined filter effluent turbidity monitoring and representative of the treated water. All systems required to monitor under this subsection (d)(1) shall also monitor for TOC in the source water prior to any treatment at the same time as monitoring for TOC in the treated water. These samples (source water and treated water) are referred to as paired samples. At the same time as the source water sample is taken, all systems shall monitor for alkalinity in the source water prior to any treatment. Systems shall take one paired sample and one source water alkalinity sample per month per plant at a time representative of normal operating conditions and influent water quality.

- 2) Reduced monitoring. A Subpart B system with an average treated water TOC of less than 2.0 mg/L for two consecutive years, or

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less than 1.0 mg/L for one year, may reduce monitoring for both TQC and alkalinity to one paired sample and one source water alkalinity sample per plant per quarter. The system shall revert to routine monitoring in the month following the quarter when the annual average treated water TQC > 2.0 mg/L.

- e) Bromide. Systems required to analyze for bromate may reduce bromate monitoring from monthly to once per quarter, if the system demonstrates that the average source water bromide concentration is less than 0.05 mg/L based upon representative monthly measurements for one year. The system shall continue bromide monitoring to remain on reduced bromate monitoring.

- f) Monitoring plans. Each system required to monitor under this Subpart shall develop and implement a monitoring plan. The system shall maintain the plan and make it available for inspection by the Agency and the general public no later than 30 days following the applicable compliance dates in Section 611.380(b). A Subpart B system serving more than 3,300 persons shall submit a copy of the monitoring plan to the Agency no later than the date of the first report required under Section 611.134. After review, the Agency may require changes in any plan elements. The plan must include at least the following elements:

- 1) Specific locations and schedules for collecting samples for any parameters included in this Subpart;
- 2) How the system will calculate compliance with MCLs, WRDLs, and treatment techniques; and
- 3) If approved for monitoring as a consecutive system, or if providing water to a consecutive system, under the provisions of Section 611.500, the sampling plan must reflect the entire distribution system.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.383 Compliance Requirements

- a) General requirements.
- 1) Where compliance is based on a running annual average of monthly or quarterly samples or averages and the system's failure to monitor makes it impossible to determine compliance with the MCL for TTHM, HAA5, or bromate, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average. Where compliance is based on a running annual average of monthly or quarterly samples or averages and the system's failure to monitor makes it impossible to determine compliance with the WRDL for chlorine or chloramines, this failure to monitor will be treated as a monitoring violation for the entire period covered by the annual average.
 - 2) All samples taken and analyzed under the provisions of this Subpart must be included in determining compliance, even if that

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- 3) number is greater than the minimum required. If, during the first year of monitoring under Section 611.132, any individual quarter's average will cause the running annual average of that system to exceed the MCL, the system is out of compliance at the end of that quarter.
- b) Disinfection byproducts (DBPs).

- 1) THMs and HAA5.
 - A) For systems monitoring quarterly, compliance with MCLs in Section 611.132 must be based on a running annual arithmetic average, computed quarterly, of quarterly arithmetic averages of all samples collected by the system as prescribed by Section 611.132(b)(1). If the running annual arithmetic average of quarterly averages covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL and shall notify the public pursuant to Section 611.851, in addition to reporting to the Agency pursuant to Section 611.134. If a PWS fails to complete four consecutive quarters' monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.
 - B) For systems monitoring less frequently than quarterly, compliance must be based on an average of samples taken that year under the provisions of Section 611.132(b)(1). If the average of these samples exceeds the MCL, the system shall increase monitoring to once per quarter per treatment plant.
 - C) Systems on a reduced monitoring schedule whose annual average exceeds the MCL shall revert to routine monitoring immediately. These systems will not be considered in violation of the MCL until they have completed one year of routine monitoring.
- 2) Bromate. Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly samples (or, for months in which the system takes more than one sample, the average of all samples taken during the month) collected by the system as prescribed by Section 611.132(b)(3). If the average of samples covering any consecutive four-quarter period exceeds the MCL, the system is in violation of the MCL and shall notify the public pursuant to Section 611.851, in addition to reporting to the Agency pursuant to Section 611.134. If a PWS fails to complete twelve consecutive months' monitoring, compliance with the MCL for the last four-quarter compliance period must be based on an average of the available data.
- 3) Chlorine. Compliance must be based on an arithmetic average of each three sample set taken in the distribution system as prescribed by Section 611.132(b)(2)(A)(i) and Section 611.132(b)(2)(B). If the arithmetic average of any three sample set exceeds the MCL, the system is in violation of the MCL and shall notify the public pursuant to Section 611.851, in addition

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to reporting to the Agency pursuant to Section 611.134.

c) Disinfectant residuals.

1) Chlorine and chloramines.

A) Compliance must be based on a running annual arithmetic average, computed quarterly, of monthly averages of all samples collected by the system under Section 611.132(c)(1). If the average of quarterly averages covering any consecutive four-quarter period exceeds the MRDL, the system is in violation of the MRDL and shall notify the public pursuant to Section 611.851. In addition to reporting to the Agency pursuant to Section 611.134.

B) In cases where systems switch between the use of chlorine and chloramines for residual disinfection during the year, compliance must be determined by including together all monitoring results of both chlorine and chloramines in calculating compliance. Reports submitted pursuant to Section 611.134 must clearly indicate which residual disinfectant was analyzed for each sample.

2) Chlorine dioxide.

A) Acute violations. Compliance must be based on consecutive daily samples collected by the system under Section 611.132(c)(2). If any daily sample taken at the entrance to the distribution system exceeds the MRDL, and on the following day one (or more) of the three samples taken in the distribution system exceeds the MRDL, the system is in violation of the MRDL and shall take immediate corrective action to lower the level of chlorine dioxide below the MRDL and shall notify the public pursuant to the procedures for acute health risks in Section 611.851(a)(3). Failure to take samples in the distribution system the day following an exceedance of the chlorine dioxide MRDL at the entrance to the distribution system will also be considered an MRDL violation and the system shall notify the public of the violation in accordance with the provisions for acute violations under Section 611.851(a)(3).

B) Nonacute violations. Compliance must be based on consecutive daily samples collected by the system under Section 611.132(c)(2). If any two consecutive daily samples taken at the entrance to the distribution system exceed the MRDL and all distribution system samples taken are below the MRDL, the system is in violation of the MRDL and shall take corrective action to lower the level of chlorine dioxide below the MRDL at the point of sampling and shall notify the public pursuant to the procedures for nonacute health risks in Section 611.852. Failure to monitor at the entrance to the distribution system the day following an exceedance of the chlorine dioxide MRDL at the entrance to the distribution system is also an MRDL violation and the system

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shall notify the public of the violation in accordance with the provisions for nonacute violations under Section 611.852.

d) Disinfection byproduct (DBP) precursors. Compliance must be determined as specified by Section 611.135(b). Systems may begin monitoring to determine whether Step 1 TOC removals can be met twelve months prior to the compliance date for the system. This monitoring is not required and failure to monitor during this period is not a violation. However, any system that does not monitor during this period, and then determines in the first twelve months after the compliance date that it is not able to meet the Step 1 requirements in Section 611.141(b)(2), and must therefore apply for alternate minimum TOC removal (Step 2) requirements, is not eligible for retroactive approval of alternate minimum TOC removal (Step 2) requirements as allowed pursuant to Section 611.135(b)(3) and is in violation of an NPDMR. Systems may apply for alternate minimum TOC removal (Step 2) requirements any time after the compliance date.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.384 Reporting and Recordkeeping Requirements

a) Systems required to sample quarterly or more frequently shall report to the Agency within ten days after the end of each quarter in which samples were collected, notwithstanding the provisions of Section 611.840. Systems required to sample less frequently than quarterly shall report to the Agency within ten days after the end of each monitoring period in which samples were collected.

b) Disinfection byproducts (DBPs). Systems shall report the information specified in the following table:

If you are a...

You must report....(1)

System monitoring for THM and HAA5 under the requirements of Section 611.132(b) on a quarterly or more frequent basis.

(1) The number of samples taken during the last quarter.

(2) The location, date, and result of each sample taken during the last quarter.

(3) The arithmetic average of all samples taken in the last quarter.

(4) The annual arithmetic average of the quarterly arithmetic averages of this Section for the last four quarters.

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(5) Whether the MCL was exceeded.

System monitoring for TTHMs and HAA5 under the requirements of Section 611.132(b) less frequently than quarterly (but at least annually).

(1) The number of samples taken during the last year.
 (2) The location, date, and result of each sample taken during the last quarter.
 (3) The arithmetic average of all samples taken over the last year.
 (4) Whether the MCL was exceeded.

System monitoring for TTHMs and HAA5 under the requirements of Section 611.132(b) less frequently than annually.

(1) The location, date, and result of the last sample taken.
 (2) Whether the MCL was exceeded.

System monitoring for chlorite under the requirements of Section 611.132(b).

(1) The number of samples taken each month for the last three months.
 (2) The location, date, and result of each sample taken during the last quarter.
 (3) For each month in the reporting period, the arithmetic average of all samples taken in the month.
 (4) Whether the MCL was exceeded, and in which month it was exceeded.

System monitoring for bromate under the requirements of Section 611.132(b).

(1) The number of samples taken during the last quarter.
 (2) The location, date, and result of each sample taken during the last quarter.
 (3) The arithmetic average of the monthly arithmetic averages of all samples taken in the last year.
 (4) Whether the MCL was exceeded.

(1) The Agency may choose to perform calculations and determine whether the MCL was exceeded, in lieu of having the system report that

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Information.

BOARD NOTE: Derived from 40 CFR 141.134(b) (1998).

c) Disinfectants. Systems shall report the information specified in the following table:

If you are a...

You must report...(1)

System monitoring for chlorine or chloramines under the requirements of Section 611.132(c).

(1) The number of samples taken during each month of the last quarter.
 (2) The monthly arithmetic average of all samples taken in each month for the last twelve months.
 (3) The arithmetic average of all monthly averages for the last twelve months.
 (4) Whether the MRDL was exceeded.

System monitoring for chlorine dioxide under the requirements of Section 611.132(c).

(1) The dates, results, and locations of samples taken during the last quarter.
 (2) Whether the MRDL was exceeded.
 (3) Whether the MRDL was exceeded in any two consecutive daily samples and whether the resulting violation was acute or nonacute.

(1) The Agency may choose to perform calculations and determine whether the MRDL was exceeded, in lieu of having the system report that Information.

BOARD NOTE: Derived from 40 CFR 141.134(c) (1998).

d) Disinfection byproduct (DBP) precursors and enhanced coagulation or enhanced softening. Systems shall report the information specified in the following table:

If you are a...

You must report...(1)

System monitoring monthly or quarterly for TOC under the requirements of Section 611.132(d) and required to meet

(1) The number of paired (source water and treated water, prior to continuous disinfection) samples taken

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the enhanced coagulation or enhanced softening requirements in Section 611.135(b)(2) or (3).

(2) The location, date, and result of each paired sample taken during the last quarter.

(3) For each month in the reporting period that paired samples were taken, the arithmetic average of the percent reduction of TOC for each paired sample and the required TOC percent removal.

(4) Calculations for determining compliance with the TOC percent removal requirements, as provided in Section 611.135(c)(1).

(5) Whether the system is in compliance with the enhanced coagulation or enhanced softening percent removal requirements in Section 611.135(b) for the last four quarters.

System monitoring monthly or quarterly for TOC under the requirements of Section 611.132(d) and meeting one or more of the alternative compliance standards in Section 611.135(a)(2) or (3).

(1) The alternative compliance criterion that the system is using.

(2) The number of paired samples taken during the last quarter.

(3) The location, date, and result of each paired sample taken during the last quarter.

(4) The running annual arithmetic average based on monthly averages (or quarterly samples) of source water TOC for systems meeting a criterion in Section 611.135(a)(2)(A) or (C) or of treated water TOC for systems meeting the criterion in Section 611.135(a)(2)(B).

(5) The running annual arithmetic average based on monthly averages (or quarterly

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samples) of source water SUVA for systems meeting the criterion in Section 611.135(a)(2)(E) or of treated water SUVA for systems meeting the criterion in Section 611.135(a)(2)(F).

(6) The running annual average of source water alkalinity for systems meeting the criterion in Section 611.135(a)(2)(C) and of treated water alkalinity for systems meeting the criterion in Section 611.135(a)(3)(A).

(7) The running annual average for both THM and HAA5 for systems meeting the criterion in Section 611.135(a)(2)(C) or (D).

(8) The running annual average of the amount of magnesium hardness removal (as CaCO₃) in mg/L for systems meeting the criterion in Section 611.135(a)(3)(B).

(9) Whether the system is in compliance with the particular alternative compliance criterion in Section 611.135(a)(2) or (3).

(1) The Agency may choose to perform calculations and determine whether the treatment technique was met, in lieu of having the system report that information.

BOARD NOTE: Derived from 40 CFR 141.134(d) (1998).

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.385 Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

a) Applicability.

1) A Subpart B system using conventional filtration treatment (as defined in Section 611.101) shall operate with enhanced coagulation or enhanced softening to achieve the TOC percent removal levels specified in subsection (b) of this Section unless

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the system meets at least one of the alternative compliance standards listed in subsection (a)(2) or (a)(3) of this Section.

2) Alternative compliance standards for enhanced coagulation and enhanced softening systems. A Subpart B system using conventional filtration treatment may use the alternative compliance standards in subsections (a)(2)(A) through (F) of this Section to comply with this Section in lieu of complying with subsection (b). Systems shall comply with monitoring requirements in Section 611.382(d) of this Part.

A) The system's source water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/L, calculated quarterly as a running annual average.

B) The system's treated water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/L, calculated quarterly as a running annual average.

C) The system's source water TOC level, measured as required by Section 611.381(d)(3), is less than 4.0 mg/L, calculated quarterly as a running annual average; the source water alkalinity, measured according to Section 611.381(d)(1), is greater than 60 mg/L (as CaCO₃), calculated quarterly as a running annual average; and either the TTHM and HAA5 running annual averages are no greater than 0.040 mg/L and 0.030 mg/L, respectively; or prior to the effective date for compliance in Section 611.380(b), the system has made a clear and irrevocable financial commitment not later than the effective date for compliance in Section 611.380(b) to use technologies that will limit the levels of TTHMs and HAA5 to no more than 0.040 mg/L and 0.030 mg/L, respectively. Systems shall submit evidence of a clear and irrevocable financial commitment, in addition to a schedule containing milestones and periodic progress reports for installing and operation of appropriate technologies, to the Agency for approval not later than the effective date for compliance in Section 611.380(b). These technologies must be installed and operating not later than June 16, 2005. Failure to install and operate these technologies by the date in the approved schedule will constitute a violation of a NPDES.

D) The TTHM and HAA5 running annual averages are no greater than 0.040 mg/L and 0.030 mg/L, respectively, and the system uses only chlorine for primary disinfection and maintenance of a residual in the distribution system.

E) The system's source water SUVA, prior to any treatment and measured monthly according to Section 611.381(d)(4), is less than or equal to 2.0 L/mg-m, calculated quarterly as a running annual average.

F) The system's finished water SUVA, measured monthly according to Section 611.381(d)(4), is less than or equal to 2.0

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L/mg-m, calculated quarterly as a running annual average.

3) Additional alternative compliance standards for softening systems. Systems practicing enhanced softening that cannot achieve the TOC removals required by subsection (b)(2) of this Section may use the alternative compliance standards in subsections (a)(3)(A) and (B) of this Section in lieu of complying with subsection (b) of this Section. Systems shall comply with monitoring requirements in Section 611.382(d).

A) Softening that results in lowering the treated water alkalinity to less than 60 mg/L (as CaCO₃), measured monthly according to Section 611.381(d)(1) and calculated quarterly as a running annual average.

B) Softening that results in removing at least 10 mg/L of magnesium hardness (as CaCO₃), measured monthly and calculated quarterly as a running annual average.

b) Enhanced coagulation and enhanced softening performance requirements.

1) Systems shall achieve the percent reduction of TOC specified in subsection (b)(2) of this Section between the source water and the combined filter effluent, unless the Agency approves a system's request for alternate minimum TOC removal (Step 2) requirements under subsection (b)(3) of this Section.

2) Required TOC reductions, indicated in the following table, are based upon specified source water parameters measured in accordance with Section 611.381(d). Systems practicing softening shall meet the Step 1 TOC reductions in the far-right column (source water alkalinity >120 mg/L) for the specified source water TOC:

Step 1 Required Removal of TOC by Enhanced Coagulation and Enhanced Softening for a Subpart B System Using Conventional Treatment (1,2)

Source water		Source water alkalinity, mg/L as CaCO ₃	
TOC, mg/L	(percent)	0-60	>120(3)
		(percent)	(percent)
>2.0-4.0	35.0	25.0	15.0
>4.0-8.0	45.0	35.0	25.0
≥8.0	50.0	40.0	30.0

(1) Systems meeting at least one of the conditions in subsections (a)(2)(A) through (F) of this Section are not required to operate with enhanced coagulation.

(2) Softening systems meeting one of the alternative compliance standards in subsection (a)(3) of this Section are not required to operate with enhanced softening.

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(3) Systems practicing softening shall meet the TOC removal requirements in this column.

- 3) A Subpart B conventional treatment system that cannot achieve the Step 1 TOC removals required by subsection (b)(2) of this Section due to water quality parameters or operational constraints must apply to the Agency, within three months after failure to achieve the TOC removals required by subsection (b)(2) of this Section, for approval of alternative minimum TOC (Step 2) removal requirements submitted by the system. If the PWS cannot achieve the Step 1 TOC removal requirement due to water quality parameters or operational constraints, the Agency shall approve the use of the Step 2 TOC removal requirement. If the Agency approves the alternative minimum TOC removal (Step 2) requirements, the Agency may make those requirements retroactive for the purposes of determining compliance. Until the Agency approves the alternate minimum TOC removal (Step 2) requirements, the system shall meet the Step 1 TOC removals contained in subsection (b)(2) of this Section.
- 4) Alternate minimum TOC removal (Step 2) requirements. Applications made to the Agency by enhanced coagulation systems for approval of alternative minimum TOC removal (Step 2) requirements under subsection (b)(3) of this Section must include, at a minimum, results of bench- or pilot-scale testing conducted under subsection (b)(4)(A) of this Section and used to determine the alternate enhanced coagulation level.

A) For the purposes of this Subpart, "Alternate enhanced coagulation level" is defined as coagulation at a coagulant dose and pH as determined by the method described in subsections (b)(4)(A) through (E) of this Section such that an incremental addition of 10 mg/L of alum (as aluminum) (or equivalent amount of ferric salt) results in a TOC removal of <0.3 mg/L. The percent removal of TOC at this point on the "TOC removal versus coagulant dose" curve is then defined as the minimum TOC removal required for the system. Once approved by the Agency, this minimum requirement supersedes the minimum TOC removal required by the table in subsection (b)(2) of this Section. This requirement will be effective until such time as the Agency approves a new value based on the results of a new bench- and pilot-scale test. Failure to achieve alternate minimum TOC removal levels is a violation of National Primary Drinking Water Regulations.

B) Bench- or pilot-scale testing of enhanced coagulation must be conducted by using representative water samples and adding 10 mg/L increments of alum (as aluminum) (or equivalent amounts of ferric salt) until the pH is reduced to a level less than or equal to the enhanced coagulation Step 2 target pH shown in the following table:

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Enhanced Coagulation Step 2 Target pH

Alkalinity (mg/L as CaCO ₃)	Target pH
0-60	5.5
>60-120	6.3
>120-240	7.0
>240	7.5

C) For waters with alkalinities of less than 60 mg/L for which addition of small amounts of alum or equivalent addition of iron coagulant drives the pH below 5.5 before significant TOC removal occurs, the system shall add necessary chemicals to maintain the pH between 5.3 and 5.7 in samples until the TOC removal of 0.3 mg/L per 10 mg/L alum added (as aluminum) (or equivalent addition of iron coagulant) is reached.

D) The system may operate at any coagulant dose or pH necessary (consistent with other NPDES) to achieve the minimum TOC percent removal approved under subsection (b)(3) of this Section.

E) If the TOC removal is consistently less than 0.3 mg/L of TOC per 10 mg/L of incremental alum dose (as aluminum) at all dosages of alum (or equivalent addition of iron coagulant), the water is deemed to contain TOC not amenable to enhanced coagulation. The system may then apply to the Agency for a waiver of enhanced coagulation requirements. If the TOC removal is consistently less than 0.3 mg/L of TOC per 10 mg/L of incremental alum dose (as aluminum) at all dosages of alum (or equivalent addition of iron coagulant), the Agency shall grant the waiver of enhanced coagulation requirements.

C) Compliance calculations.

1) A Subpart B system other than those identified in subsection (a)(2) or (a)(3) of this Section shall comply with requirements contained in subsection (b)(2) of this Section. Systems shall calculate compliance quarterly, beginning after the system has collected twelve months of data, by determining an annual average using the following method:

A) Determine actual monthly TOC percent removal, equal to:

$$\left(\frac{(\text{treated water TOC})}{(\text{source water TOC})} \right) \times 100$$

B) Determine the required monthly TOC percent removal.

C) Divide the value in subsection (c)(1)(A) of this Section by

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the value in subsection (c)(1)(B) of this Section.
 D) Add together the results of subsection (c)(1)(C) of this Section for the last twelve months and divide by twelve.
 E) If the value calculated in subsection (c)(1)(D) of this Section is less than 1.00, the system is not in compliance with the TOC percent removal requirements.

- 2) Systems may use the provisions in subsections (c)(2)(A) through (E) of this Section in lieu of the calculations in subsection (c)(1)(A) through (E) of this Section to determine compliance with TOC percent removal requirements.

A) In any month that the system's treated or source water TOC level, measured according to Section 611.381(d)(3), is less than 2.0 mg/L, the system may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

B) In any month that a system practicing softening removes at least 10 mg/L of magnesium hardness (as CaCO_3), the system may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

C) In any month that the system's source water SUVA, prior to any treatment and measured according to Section 611.381(d)(4), is $<2.0 \text{ L/mg-m}$, the system may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

D) In any month that the system's finished water SUVA, measured according to Section 611.381(d)(4), is $<2.0 \text{ L/mg-m}$, the system may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

E) In any month that a system practicing enhanced softening lowers alkalinity below 60 mg/L (as CaCO_3), the system may assign a monthly value of 1.0 (in lieu of the value calculated in subsection (c)(1)(C) of this Section) when calculating compliance under the provisions of subsection (c)(1) of this Section.

- 3) A Subpart B system using conventional treatment may also comply with the requirements of this Section by meeting the standards in subsection (a)(2) or (3) of this Section.

d) Treatment technique requirements for disinfection byproduct (DBP) precursors. Treatment techniques to control the level of disinfection byproduct (DBP) precursors in drinking water treatment and distribution systems, for a Subpart B system using conventional

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treatment, are enhanced coagulation or enhanced softening.

(Source: Added at 23 Ill. Reg. _____, effective _____)

SUBPART P: TQM MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.688 Applicability Dates

The requirements in Sections 611.680 through 611.686 apply to a Subpart B community water system that serves 10,000 or more persons until December 16, 2001. The requirements in Sections 611.680 through 611.686 apply to a community water system that uses only groundwater not under the direct influence of surface water which adds a disinfectant (oxidant) in any part of the treatment process and serves 10,000 or more persons until December 16, 2001. After December 16, 2001, Sections 611.680 through 611.688 are no longer applicable.

(Source: Added at 23 Ill. Reg. _____, effective _____)

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.720 Analytical Methods

a) The methods specified below, incorporated by reference in Section 611.102, are to be used to determine compliance with Sections 611.330 and 611.331, except in cases where alternative methods have been approved in accordance with Section 611.480.

1) Gross Alpha and Beta:

- A) ASTM Method 302;
 B) Standard Method;

i) Method 302; or

ii) Method 7110 B;

C) USEPA Interim Radiochemical Methods: page 1;

D) USEPA Radioactivity Methods: Method 900;

E) USEPA Radiochemistry Analyses: page 1;

F) USEPA Radiochemistry Methods: Method 00-01; or

G) USGS Methods: Method R-1120-76.

2) Gross Alpha:

A) Standard Methods:

B) USEPA Radiochemistry Methods: Method 7110 C; or

3) Radioium 226:

A) ASTM Methods:

i) Method D 2460-90; or

ii) Method D 3454-91;

B) New York Radium Method;

C) Standard Methods;

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- i) Method 304;
- ii) Method 305;
- iii) Method 7500-Ra B; or
- iv) Method 7500-Ra C;
- D) USDOE Methods: Method Ra-05;
- E) USEPA Interim Radiochemical Methods: pages 13 and 16;
- F) USEPA Radioactivity Methods: Method 903, 903.1;
- G) USEPA Radiochemical Analyses: page 19;
- H) USEPA Radiochemistry Methods: Method Ra-03, Ra-04; or
- I) USGS Methods:
 - i) Method R-1140-76; or
 - ii) Method R-1141-76.
- 4) Radium 228:
 - A) Standards Methods:
 - i) Method 304; or
 - ii) Method 7500-Ra D;
 - B) New York Radium Method;
 - C) USEPA Interim Radiochemical Methods: page 24;
 - D) USEPA Radioactivity Methods: Method 904;
 - E) USEPA Radiochemical Analyses: page 19;
 - F) USEPA Radiochemistry Methods: Method Ra-05;
 - G) USGS Methods: Method R-1142-76; or
 - H) New Jersey Radium Method.
- 5) Uranium:
 - A) ASTM Methods:
 - i) Method D-2907;
 - ii) Method D-2907-91;
 - iii) Method D 3972-90; or
 - iv) Method D 5174-91;
 - B) USEPA Radioactivity Methods: Method 908, 908.1;
 - C) USEPA Radiochemical Analyses: page 33;
 - D) USEPA Radiochemistry Methods: Method 00-07; or
 - E) USGS Methods:
 - i) Method R-1180-76;
 - ii) Method R-1181-76; or
 - iii) Method R-1182-76.
- 6) Cesium:
 - A) ASTM Methods:
 - i) Method D 2459-72; or
 - ii) Method D 3649-91;
 - B) Standard Methods:
 - i) Method 7120 (19th ed.); or
 - ii) Method 7500-Cs B;
 - C) USDOE Methods: Method 4.5.2.3;
 - D) USEPA Interim Radiochemical Methods: page 4;
 - E) USEPA Radioactivity Methods: Methods 901, 901.1;
 - F) USEPA Radiochemical Analyses: page 92; or
 - G) USGS Methods:

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- i) Method R-1110-76; or
- ii) Method R-1111-76.
- 7) Iodine:
 - A) ASTM Methods:
 - i) D 3649-91; or
 - ii) D 4785-88;
 - B) Standard Methods:
 - i) Method 7120 (19th ed.);
 - ii) Method 7500-I B;
 - iii) Method 7500-I C; or
 - iv) Method 7500-I D;
 - C) USDOE Methods: Method 4.5.2.3;
 - D) USEPA Interim Radiochemical Methods: pages 6, 9;
 - E) USEPA Radiochemical Analyses: page 92; or
 - F) USEPA Radioactivity Methods: Methods 901.1, 902.
- 8) Strontium-89 & 90:
 - A) Standard Methods:
 - i) Method 303; or
 - ii) Method 7500-Sr B;
 - B) USDOE Methods:
 - i) Method Sr-01; or
 - ii) Method Sr-02;
 - C) USEPA Interim Radiochemical Methods: page 29;
 - D) USEPA Radioactivity Methods: Method 905;
 - E) USEPA Radiochemical Analyses: page 65;
 - F) USEPA Radiochemistry Methods: Method Sr-04; or
 - G) USGS Methods: Method R-1160-76.
- 9) Tritium:
 - A) ASTM Methods: Method D 4107-91;
 - B) Standard Methods:
 - i) Method 306; or
 - ii) Method 7500-3H B;
 - C) USEPA Interim Radiochemical Methods: page 34;
 - D) USEPA Radioactivity Methods: Method 906;
 - E) USEPA Radiochemical Analyses: page 87;
 - F) USEPA Radiochemistry Methods: Method H-02; or
 - G) USGS Methods: Method R-1171-76.
- 10) Gamma Emitters:
 - A) ASTM Methods:
 - i) Method D 3649-91; or
 - ii) Method D 4785-88;
 - B) Standard Methods:
 - i) Method 7120 (19th ed.);
 - ii) Method 7500-Cs B; or
 - iii) Method 7500-I B;
 - C) USDOE Methods: Method 4.5.2.3;
 - D) USEPA Radioactivity Methods: Methods 901, 901.1, 902;
 - E) USEPA Radiochemical Analyses: page 92; or

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- F) USGS Methods: Method R-1110-76.
- b) When the identification and measurement of radionuclides other than those listed in subsection (a) are required, the following methods, incorporated by reference in Section 611.102, are to be used, except in cases where alternative methods have been approved in accordance with Section 611.480:
- 1) "Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", available from NRS.
 - 2) HASL Procedure Manual, HASL 300.
- c) For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit must be that concentration which can be counted with a precision of plus or minus 100 percent at the 95 percent confidence level (1.96 sigma where sigma is the standard deviation of the net counting rate of the sample).
- 1) To determine compliance with Section 611.330(a) the detection limit must not exceed 1 pCi/L. To determine compliance with Section 611.330(b) the detection limit must not exceed 3 pCi/L.
 - 2) To determine compliance with Section 611.331 the detection limits must not exceed the concentrations listed in that Section.
 - 3) The detection limits for man-made beta particle and photon emitters to determine the applicability of Section 611.681 are listed in the following table:

Radionuclide	Detection Limit
Tritium	1,000 pCi/L
Strontium-89	10 pCi/L
Strontium-90	2 pCi/L
Iodine-131	1 pCi/L
Cesium-134	10 pCi/L
Gross beta	4 pCi/L
Other radionuclides	1/10 of applicable limit

- BOARD NOTE: Derived from 40 CFR 141.25(c), Table B (1998).
- d) To judge compliance with the MCLs listed in Sections 611.330 and 611.331, averages of data must be used and must be rounded to the same number of significant figures as the MCL for the substance in question.
- BOARD NOTE: Derived from 40 CFR 141.25 (1998+1995).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

SUBPART R: ENHANCED FILTRATION AND DISINFECTION

Section 611.740 General Requirements

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- a) The requirements of this Subpart R are National Primary Drinking Water Regulations. These regulations establish requirements for filtration and disinfection that are in addition to standards under which filtration and disinfection are required under Subpart B of this Part. The requirements of this Subpart are applicable to a Subpart B system serving 10,000 or more persons, beginning December 17, 2001, unless otherwise specified in this Subpart. The regulations in this Subpart establish or extend treatment technique requirements in lieu of maximum contaminant levels (MCLs) for the following contaminants: Giardia lamblia, viruses, heterotrophic plate count bacteria, Legionella, Cryptosporidium, and turbidity. Each Subpart B system serving 10,000 or more persons shall provide treatment of its source water that complies with these treatment technique requirements and are in addition to those identified in Section 611.220. The treatment technique requirements consist of installing and properly operating water treatment processes that reliably achieve:
- 1) At least 99 percent (2-log) removal of Cryptosporidium between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer for filtered systems, or Cryptosporidium control under the watershed control plan for unfiltered systems; and
 - 2) Compliance with the profiling and benchmark requirements under the provisions of Section 611.742.
- b) A public water system subject to the requirements of this Subpart is considered to be in compliance with the requirements of subsection (a) of this Section if:
- 1) It meets the requirements for avoiding filtration in Sections 611.232 and 611.741, and the disinfection requirements in Sections 611.240 and 611.742; or
 - 2) It meets the applicable filtration requirements in either Section 611.250 or Section 611.743, and the disinfection requirements in Sections 611.240 and 611.742.
- c) Systems shall not begin construction of uncovered finished water storage facilities after February 16, 1999.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.741 Standards for Avoiding Filtration

In addition to the requirements of Section 611.232, a public water system subject to the requirements of this Subpart that does not provide filtration shall meet all of the conditions of subsections (a) and (b) of this Section.

a) Site-specific conditions. In addition to site-specific conditions in Section 611.222, systems shall maintain the watershed control program under Section 611.232(b) to minimize the potential for contamination by Cryptosporidium oocysts in the source water. The watershed control program must, for Cryptosporidium:

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- 1) Identify watershed characteristics and activities which may have an adverse effect on source water quality; and
- 2) Monitor the occurrence of activities which may have an adverse effect on source water quality.
- b) During the onsite inspection conducted under the provisions of Section 611.232(c), the Agency shall determine whether the watershed control program established under Section 611.232(b) is adequate to limit potential contamination by Cryptosporidium oocysts. The adequacy of the program must be based on the comprehensiveness of the watershed review; the effectiveness of the system's program to monitor and control detrimental activities occurring in the watershed; and the extent to which the water system has maximized land ownership or controlled land use within the watershed.

(Source: Added at 23 Ill. Reg. _____, effective _____.)

Section 611.742 Disinfection Profiling and Benchmarking

- a) Determination of systems required to profile. A public water system subject to the requirements of this Subpart shall determine its WTM annual average using the procedure in subsection (a)(1) of this Section and its HAA5 annual average using the procedure in subsection (a)(2) of this Section. The annual average is the arithmetic average of the quarterly averages of four consecutive quarters of monitoring.
 - 1) The WTM annual average that is used must be the annual average during the same period as the HAA5 annual average.
 - A) Those systems that collected data under the provisions of 40 CFR 141 Subpart M (Information Collection Rule) shall use the results of the samples collected during the last four quarters of required monitoring under Section 611.382.
 - B) Those systems that use "grandfathered" HAA5 occurrence data that meet the provisions of subsection (a)(2)(B) of this Section shall use WTM data collected at the same time under the provisions of Section 611.680.
 - C) Those systems that use HAA5 occurrence data that meet the provisions of subsection (a)(2)(C)(i) of this Section shall use WTM data collected at the same time under the provisions of Sections 611.310 and 611.680.
- 2) The HAA5 annual average that is used must be the annual average during the same period as the WTM annual average.
 - A) Those systems that collected data under the provisions of 40 CFR 141 Subpart M (Information Collection Rule) shall use the results of the samples collected during the last four quarters of required monitoring under Section 611.382.
 - B) Those systems that have collected four quarters of HAA5 occurrence data that meets the routine monitoring sample number and location requirements for WTM in Section 611.680

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- and handling and analytical method requirements of Section 611.685 may use that data to determine whether the requirements of this Section apply.
- C) Those systems that have not collected four quarters of HAA5 occurrence data that meets the provisions of either subsection (a)(2)(A) or (B) of this Section by March 16, 1999 shall either:
 - 1) Conduct monitoring for HAA5 that meets the routine monitoring sample number and location requirements for WTM in Section 611.680 and handling and analytical method requirements of Section 611.685 to determine the HAA5 annual average and whether the requirements of subsection (b) of this Section apply. This monitoring must be completed so that the applicability determination can be made no later than March 16, 2000; or
 - ii) Comply with all other provisions of this Section as if the HAA5 monitoring had been conducted and the results required compliance with subsection (b) of this Section.
- 3) The system may request that the Agency approve a more representative annual data set than the data set determined under subsection (a)(1) or (2) of this Section for the purpose of determining applicability of the requirements of this Section.
- 4) The Agency may require that a system use a more representative annual data set than the data set determined under subsection (a)(1) or (2) of this Section for the purpose of determining the applicability of the requirements of this Section.
 - A) Those systems that submit data to the Agency on the schedule in subsections (a)(5)(A) through (D) of this Section.
 - B) Those systems that collected WTM and HAA5 data under the provisions of 40 CFR Subpart M (Information Collection Rule), as required by subsection (a)(1)(A) and (a)(2)(A) of this Section, shall submit the results of the samples collected during the last twelve months of required monitoring under Section 611.685 not later than December 16, 1999.
- B) Those systems that have collected four consecutive quarters of HAA5 occurrence data that meets the routine monitoring sample number and location for WTM in Section 611.382 and handling and analytical method requirements of Section 611.685, as allowed by subsections (a)(1)(B) and (a)(2)(B) of this Section, shall submit that data to the Agency not later than April 16, 1999. Until the Agency has approved the data, the system shall conduct monitoring for HAA5 using the monitoring requirements specified under subsection (a)(2)(C) of this Section.
- C) Those systems that conduct monitoring for HAA5 using the

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monitoring requirements specified by subsections (a)(1)(C) and (a)(2)(C)(i) of this Section, shall submit TTHM and HAA5 data not later than March 16, 2000.

- D) Those systems that elect to comply with all other provisions of this Section as if the HAA5 monitoring had been conducted and the results required compliance with this Section, as allowed under subsection (a)(2)(C)(ii) of this Section, shall notify the Agency in writing of their election not later than December 16, 1999.

- E) If the system elects to request that the Agency approve a more representative data set than the data set determined under subsection (a)(2)(A) of this Section, the system shall submit this request in writing not later than December 16, 1999.

- 6) Any system having either a TTHM annual average >0.064 mg/L or an HAA5 annual average >0.048 mg/L during the period identified in subsections (a)(1) and (2) of this Section shall comply with subsection (b) of this Section.

b) Disinfection profiling.

- 1) Any system that meets the standards in subsection (a)(6) of this Section shall develop a disinfection profile of its disinfection practice for a period of up to three years. The Agency shall determine the period of the disinfection profile.

- 2) The system shall monitor daily for a period of twelve consecutive calendar months to determine the total logs of inactivation for each day of operation, based on the C99.9 values in Appendix B of this Part, as appropriate, through the entire treatment plant. The system shall begin this monitoring not later than March 16, 2000. As a minimum, the system with a single point of disinfectant application prior to entrance to the distribution system shall conduct the monitoring in subsections (b)(2)(A) through (D) of this Section. A system with more than one point of disinfectant application shall conduct the monitoring in subsections (b)(2)(A) through (D) of this Section for each disinfection segment. The system shall monitor the parameters necessary to determine the total inactivation ratio, using analytical methods in Section 611.531, as follows:

- A) The temperature of the disinfected water must be measured once per day at each residual disinfectant concentration sampling point during peak hourly flow.
- B) If the system uses chlorine, the pH of the disinfected water must be measured once per day at each chlorine residual disinfectant concentration sampling point during peak hourly flow.
- C) The disinfectant contact time(s) ("TCT") must be determined for each day during peak hourly flow.
- D) The residual disinfectant concentration(s) ("C") of the water before or at the first customer and prior to each

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additional point of disinfection must be measured each day during peak hourly flow.

- 3) In lieu of the monitoring conducted under the provisions of subsection (b)(2) of this Section to develop the disinfection profile, the system may elect to meet the requirements of subsection (b)(3)(A) of this Section. In addition to the monitoring conducted under the provisions of subsection (b)(2) of this Section to develop the disinfection profile, the system may elect to meet the requirements of subsection (b)(3)(B) of this Section.

- A) A PWS that has three years of existing operational data may submit that data, a profile generated using that data, and a request that the Agency approve use of that data in lieu of monitoring under the provisions of subsection (b)(2) of this Section not later than March 16, 2000. The Agency shall determine whether the operational data is substantially equivalent to data collected under the provisions of subsection (b)(2) of this Section. The data must also be representative of Giardia lamblia inactivation through the entire treatment plant and not just of certain treatment segments. If the Agency determines that the operational data is substantially equivalent, the Agency shall approve the request. Until the Agency approves this request, the system is required to conduct monitoring under the provisions of subsection (b)(2) of this Section.

- B) In addition to the disinfection profile generated under subsection (b)(2) of this Section, a PWS that has existing operational data may use that data to develop a disinfection profile for additional years. The Agency shall determine whether the operational data is substantially equivalent to data collected under the provisions of subsection (b)(2) of this Section. The data must also be representative of inactivation through the entire treatment plant and not just of certain treatment segments. If the Agency determines that the operational data is substantially equivalent, such systems may use these additional yearly disinfection profiles to develop a benchmark under the provisions of subsection (c) of this Section.

- 4) The system shall calculate the total inactivation ratio as follows:

- A) If the system uses only one point of disinfectant application, the system may determine the total inactivation ratio for the disinfection segment based on either of the methods in subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of this Section.

- i) Determine one inactivation ratio (CTcalc/CT[99.9]) before or at the first customer during peak hourly flow.

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ii) Determine successive $CT_{calc}/CT[99.9]$ values, representing sequential inactivation ratios, between the point of disinfectant application and a point before or at the first customer during peak hourly flow. Under this alternative, the system shall calculate the total inactivation ratio by determining $CT_{calc}/CT[99.9]$ for each sequence and then adding the $CT_{calc}/CT[99.9]$ values together to determine the $(CT_{calc}/CT[99.9])$.

B) If the system uses more than one point of disinfectant application before the first customer, the system shall determine the CT value of each disinfection segment immediately prior to the next point of disinfectant application, or for the final segment, before or at the first customer, during peak hourly flow. The $(CT_{calc}/CT[99.9])$ value of each segment and $(CT_{calc}/CT[99.9])$ must be calculated using the method in subsection (b)(4)(A) of this Section.

C) The system shall determine the total loss of inactivation by multiplying the value calculated in subsection (b)(4)(A) or (B) of this Section by 3.0.

5) A system that uses either chloramines or ozone for primary disinfection shall also calculate the logs of inactivation for viruses using a method approved by the Agency.

6) The system shall retain disinfection profile data in graphic form, as a spreadsheet, or in some other format acceptable to the Agency for review as part of sanitary surveys conducted by the Agency.

c) Disinfection benchmarking.

1) Any system required to develop a disinfection profile under the provisions of subsections (a) and (b) of this Section and that decides to make a significant change to its disinfection practice shall consult with the Agency prior to making such change. Significant changes to disinfection practice are:

A) Changes to the point of disinfection.

B) Changes to the disinfectant(s) used in the treatment plant.

C) Changes to the disinfection process, and

D) Any other modification identified by the Agency.

2) Any system that is modifying its disinfection practice shall calculate its disinfection benchmark using the procedure specified in subsections (c)(2)(A) and (B) of this Section.

A) For each year of profiling data collected and calculated under subsection (b) of this Section, the system shall determine the lowest average monthly Giardia lamblia inactivation in each year of profiling data. The system shall determine the average Giardia lamblia inactivation for each calendar month for each year of profiling data by dividing the sum of daily Giardia lamblia of inactivation by

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the number of values calculated for that month.

B) The disinfection benchmark is the lowest monthly average value (for systems with one year of profiling data) or average of lowest monthly average values (for systems with more than one year of profiling data) of the monthly logs of Giardia lamblia inactivation in each year of profiling data.

3) A system that uses either chloramines or ozone for primary disinfection shall also calculate the disinfection benchmark for viruses using a method approved by the Agency.

4) The system shall submit information in subsections (c)(4)(A) through (C) of this Section to the Agency as part of its consultation process.

A) A description of the proposed change.

B) The disinfection profile for Giardia lamblia (and, if necessary, viruses) under subsection (b) of this Section and benchmark as required by subsection (c)(2) of this Section, and

C) An analysis of how the proposed change will affect the current levels of disinfection.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.743 Filtration

A PWS subject to the requirements of this Subpart that does not meet all of the standards in this Subpart and Subpart B of this Part for avoiding filtration shall provide treatment consisting of both disinfection, as specified in Section 611.242, and filtration treatment which complies with the requirements of subsection (a) or (b) of this Section or Section 611.250(b) or (c) by December 17, 2001.

a) Conventional filtration treatment or direct filtration.

1) For systems using conventional filtration or direct filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month, measured as specified in Sections 611.531 and 611.533.

2) The turbidity level of representative samples of a system's filtered water must at no time exceed 1 NTU, measured as specified in Sections 611.531 and 611.533.

3) A system that uses lime softening may acidify representative samples prior to analysis using a protocol approved by the Agency.

b) Filtration technologies other than conventional filtration treatment, direct filtration, slow sand filtration, or diatomaceous earth filtration. A PWS may use a filtration technology not listed in subsection (a) of this Section or in Section 611.250(b) or (c) if it demonstrates to the Agency, using pilot plant studies or other means,

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that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of Section 611.242(b), consistently achieves 99.9 percent removal or inactivation of Giardia lamblia cysts and 99.99 percent removal or inactivation of viruses, and 99 percent removal of Cryptosporidium oocysts, and the Agency approves the use of the filtration technology. For each approval, the Agency shall set turbidity performance requirements that the system shall meet at least 95 percent of the time and that the system shall not exceed at any time at a level that consistently achieves 99.9 percent removal or inactivation of Giardia lamblia cysts, 99.99 percent removal or inactivation of viruses, and 99 percent removal of Cryptosporidium oocysts.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.744 Filtration Sampling Requirements

a) Monitoring requirements for systems using filtration treatment. In addition to monitoring required by Sections 611.531 and 611.533, a PWS subject to the requirements of this Subpart that provides conventional filtration treatment or direct filtration shall conduct continuous monitoring of turbidity for each individual filter using an approved method in Section 611.531(a) and shall calibrate turbidimeters using the procedure specified by the manufacturer. Systems shall record the results of individual filter monitoring every 15 minutes.

b) If there is a failure in the continuous turbidity monitoring equipment, the system shall conduct grab sampling every four hours in lieu of continuous monitoring, but shall conduct grab sampling for no more than five working days following the failure of the equipment.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.745 Reporting and Recordkeeping Requirements

In addition to the reporting and recordkeeping requirements in Sections 611.261 and 611.262, a public water system subject to the requirements of this Subpart that provides conventional filtration treatment or direct filtration shall report monthly to the Agency the information specified in subsections (a) and (b) of this Section beginning December 17, 2001. In addition to the reporting and recordkeeping requirements in Sections 611.261 and 611.262, a public water system subject to the requirements of this Subpart that provides filtration approved under Section 611.743(b) shall report monthly to the Agency the information specified in subsection (a) of this Section beginning December 17, 2001. The reporting in subsection (a) of this Section is in lieu of the reporting specified in Section 611.262(a).

a) Turbidity measurements as required by Section 611.743 must be reported

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within ten days after the end of each month the system serves water to the public. Information that must be reported is:

- 1) The total number of filtered water turbidity measurements taken during the month.
- 2) The number and percentage of filtered water turbidity measurements taken during the month which are less than or equal to the turbidity limits specified in Section 611.743(a) or (b).
- 3) The date and value of any turbidity measurements taken during the month that exceed 1 NTU for systems using conventional filtration treatment or direct filtration, or that exceed the maximum level under Section 611.743(b).

b) Systems shall maintain the results of individual filter monitoring taken under Section 611.744 for at least three years. Systems shall report that they have conducted individual filter turbidity monitoring under Section 611.744 within ten days after the end of each month the system serves water to the public. Systems shall report individual filter turbidity measurement results taken under Section 611.744 within ten days after the end of each month the system serves water to the public only if measurements demonstrate one or more of the conditions in subsections (b)(1) through (4) of this Section. Systems that use lime softening may apply to the Agency for alternative exceedance levels for the levels specified in subsections (b)(1) through (4) of this Section if they can demonstrate that higher turbidity levels in individual filters are due to lime carryover only and not due to degraded filter performance.

1) For any individual filter that has a measured turbidity level of greater than 1.0 NTU in two consecutive measurements taken 15 minutes apart, the system shall report the filter number, the turbidity measurement, and the date(s) on which the exceedance occurred. In addition, the system shall either produce a filter profile for the filter within seven days after the exceedance (if the system is not able to identify an obvious reason for the abnormal filter performance) and report that the profile has been produced or report the obvious reason for the exceedance.

2) For any individual filter that has a measured turbidity level of greater than 0.5 NTU in two consecutive measurements taken 15 minutes apart at the end of the first four hours of continuous filter operation after the filter has been backwashed or otherwise taken offline, the system shall report the filter number, the turbidity, and the date(s) on which the exceedance occurred. In addition, the system shall either produce a filter profile for the filter within seven days after the exceedance (if the system is not able to identify an obvious reason for the abnormal filter performance) and report that the profile has been produced or report the obvious reason for the exceedance.

3) For any individual filter that has a measured turbidity level of greater than 1.0 NTU in two consecutive measurements taken 15 minutes apart at any time in each of three consecutive months,

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the system shall report the filter number, the turbidity measurement, and the date(s) on which the exceedance occurred. In addition, the system shall conduct a self-assessment of the filter within 14 days after the exceedance and report that the self-assessment was conducted. The self-assessment must consist of at least the following components: assessment of filter performance; development of a filter profiler; identification and prioritization of factors limiting filter performance; assessment of the applicability of corrections; and preparation of a filter self-assessment report.

- 4) For any individual filter that has a measured turbidity level of greater than 2.0 NTU in two consecutive measurements taken 15 minutes apart at any time in each of two consecutive months, the system shall report the filter number, the turbidity measurement, and the date(s) on which the exceedance occurred. In addition, the system shall arrange for the conduct of a comprehensive performance evaluation by the Agency or a third party approved by the Agency no later than 30 days following the exceedance and have the evaluation completed and submitted to the Agency no later than 90 days following the exceedance.

(Source: Added at 23 Ill. Reg. _____, effective _____)

SUBPART T: REPORTING, PUBLIC NOTIFICATION AND RECORDKEEPING

Section 611.051 Reporting MCL, MDL, and other Violations

A FWS supplier that fails to comply with an applicable MCL or treatment technique established by this Part or which fails to comply with the requirements of any schedule prescribed pursuant to a variance or adjusted standard shall notify persons served by the FWS as follows:

- a) Except as provided in subsection (c), the supplier shall give notice:
 - 1) By publication in a daily newspaper of general circulation in the area served by the FWS as soon as possible, but in no case later than 14 days after the violation or failure. If the area served by a FWS is not served by a daily newspaper of general circulation, notice must instead be given by publication in a weekly newspaper of general circulation serving the area; and
 - 2) By mail delivery (by direct mail or with the water bill), or by hand delivery, not later than 45 days after the violation or failure. This is not required if the Agency determines by SEP that the supplier in violation has corrected the violation or failure within the 45-day period; and
 - 3) For violations of the MCLs of contaminants or MDLs of disinfectants that pose an acute risk to human health, by furnishing a copy of the notice to the radio and television stations serving the area served by the FWS as soon as possible

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but in no case later than 72 hours after the violation. The following violations are acute violations:

- A) Any violations posing an acute risk to human health, as specified in this Part or as determined by the Agency on a case-by-case basis.
- B) Violation of the MCL for nitrate or nitrite in Section 611.301.
- C) Violation of the MCL for total coliforms, when fecal coliforms or E. coli are present in the water distribution system, as specified in Section 611.325(b).
- D) Occurrence of a waterborne disease outbreak.
- E) Violation of the MDL for chlorine dioxide as defined in Section 611.313 and determined according to Section 611.383(c)(2).

- b) Except as provided in subsection (c), following the initial notice given under subsection (a), the supplier shall give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation or failure exists.
- c) Alternative methods of notice.
 - 1) In lieu of the requirements of subsections (a) and (b), a CWS supplier in an area that is not served by a daily or weekly newspaper of general circulation shall give notice by hand delivery or by continuous posting in conspicuous places within the area served by the CWS. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in subsection (a)(3)) or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.
 - 2) In lieu of the requirements of subsections (a) and (b), a non-CWS supplier may give notice by hand delivery or by continuous posting in conspicuous places within the area served by the non-CWS. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in subsection (a)(3)) or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.
 - 3) Where allowed, pursuant to Section 611.609(d), 611.646(o)(3), or 611.648(k)(3) because it has a separable system, a supplier may issue public notice only to persons on that portion of its system that is its out of compliance.

BOARD NOTE:

Generally derived from 40 CFR 141.32(a) (19984993). Subsection

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(c)(3) derived from 40 CFR 141.23(i)(4) & 141.24(f)(15)(iii), (g)(9) & (h)(11)(iii) (1993).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 611.853 Notice to New Billing Units

A CWS supplier shall give a copy of the most recent public notice for any outstanding violation of any MCL, MRODL treatment technique requirement or variance or adjusted standard schedule to all new billing units or new hookups prior to or at the time service begins.

BOARD NOTE: Derived from 40 CFR 141.32(c) (1998+99) and 40 CFR 141.32(e) (1998).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

SUBPART U: CONSUMER CONFIDENCE REPORTS**Section 611.881 Purpose and Applicability of this Subpart**

a) This Subpart establishes the minimum requirements for the content of annual reports that community water systems (CWSs) must deliver to their customers. These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

b) Notwithstanding the provisions of Section 611.100(d), this Subpart only applies to CWSs.

c) For the purpose of this Subpart, "customers" are defined as billing units or service connections to which water is delivered by a CWS.

d) For the purpose of this Subpart, "detected" means: at or above the detection limit levels prescribed by Section 611.600(d) for inorganic contaminants, at or above the levels prescribed by Section 611.646 for Phase I, II, and V VOCs, at or above the levels prescribed by Section 611.648(f) for Phase II, IIB, and V SOCs, and at or above the levels prescribed by Section 611.720(C)(3) for radioactive contaminants.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.882 Compliance Dates

a) Each existing CWS shall deliver its first report by October 19, 1999, its second report by July 1, 2000, and subsequent reports by July 1 annually thereafter. The first report must contain data collected during, or prior to, calendar year 1998 as prescribed in Section

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611.883(g)(3). Each report thereafter must contain data collected during, or prior to, the previous calendar year.

b) A new CWS shall deliver its first report by July 1 of the year after its first full calendar year in operation and annually thereafter.

c) A community water system that sells water to another community water system must deliver the applicable information required in Section 611.883 to the buyer system.

1) No later than April 1, 2000, and by April 1 annually thereafter, or

2) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.883 Content of the Reports

a) Each CWS shall provide to its customers an annual report that contains the information specified in this Section and Section 611.884.

b) Information on the source of the water delivered:

1) Each report must identify the source(s) of the water delivered by the CWS by providing information on:

A) The type of the water: e.g., surface water, groundwater; and
B) The commonly used name (if any) and location of the body (or bodies) of water.

2) If a source water assessment has been completed, the report must notify consumers of the availability of this information and the means to obtain it. In addition, systems are encouraged to highlight in the report significant sources of contamination in the source water area if they have readily available information. Where a system has received a source water assessment from the Agency, the report must include a brief summary of the system's susceptibility to potential sources of contamination, using language provided by the Agency or written by the supplier.

c) Definitions.

1) Each report must include the following definition: Maximum Contaminant Level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set considering the best available treatment technology.

2) A report for a CWS operating under relief from an NPDES issued under Sections 611.111, 611.112, 611.130, or 611.131 must include the following definition: Variances, Adjusted Standards, and Site-Specific Rules: State permission not to meet an MCL of a treatment technique under certain conditions.

3) A report that contains data on a contaminant for which USEPA has set a treatment technique or an action level must include one or both of the following definitions as applicable:

A) Treatment Technique: A required process intended to reduce

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- the level of a contaminant in drinking water.
- B) Action level: The concentration of a contaminant that, if exceeded, triggers treatment or other requirements which a water system must follow.
- d) Information on detected contaminants.
- 1) This subsection (d) specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring (except Cryptosporidium). It applies to:
- A) Contaminants subject to an MCL, action level, or treatment technique (regulated contaminants);
- B) Contaminants for which monitoring is required by Section 611.510 (unregulated contaminants); and
- C) Disinfection byproducts or microbial contaminants for which monitoring is required by Section 611.382 and Subpart L, except as provided under subsection (e)(1) of this Section, and which are detected in the finished water.
- 2) The data relating to these contaminants must be displayed in one table or in several adjacent tables. Any additional monitoring results that a CWS chooses to include in its report must be displayed separately.
- 3) The data must be derived from data collected to comply with monitoring and analytical requirements during calendar year 1998 for the first report and subsequent calendar years thereafter, except that:
- A) Where a system is allowed to monitor for regulated contaminants less often than once a year, the table(s) must include the date and results of the most recent sampling, and the report must include a brief statement indicating that the data presented in the report is from the most recent testing done in accordance with the regulations. No data older than five years need be included.
- B) Results of monitoring in compliance with Section 611.382 and Subpart L need only be included for five years from the date of last sample or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first.
- 4) For detected regulated contaminants (listed in Appendix F of this Part), the table(s) must contain:
- A) The MCL for that contaminant expressed as a number equal to or greater than 1.0 (as provided in Appendix F);
- B) If there is no MCL for a detected contaminant, the table must indicate that there is a treatment technique, or specify the action level, applicable to that contaminant, and the report must include the definitions for treatment technique or action level, as appropriate, specified in subsection (c)(3) of this Section;
- C) For contaminants subject to an MCL, except turbidity and total coliforms, the highest contaminant level used to

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- determine compliance with an NPDES, and the range of detected levels, as follows:
- i) When compliance with the MCL is determined annually or less frequently: The highest detected level at any sampling point and the range of detected levels expressed in the same units as the MCL.
- ii) When compliance with the MCL is determined by calculating a running annual average of all samples taken at a sampling point: the highest average of any of the sampling points and the range of all sampling points expressed in the same units as the MCL.
- iii) When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all sampling points: the average and range of detection expressed in the same units as the MCL;
- BOARD NOTE to subsection (d)(4)(C): When rounding of results to determine compliance with the MCL is allowed by the regulations, rounding should be done prior to multiplying the results by the factor listed in Appendix F1 derived from 40 CFR 153 (1998).
- D) For turbidity:
- i) When it is reported pursuant to Section 611.560: The highest average monthly value.
- ii) When it is reported pursuant to the requirements of Section 611.211(b): The highest monthly value. The report must include an explanation of the reasons for measuring turbidity.
- iii) When it is reported pursuant to Section 611.250 or 611.743: The highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in Section 611.250 or 611.743 for the filtration technology being used. The report must include an explanation of the reasons for measuring turbidity.
- E) For lead and copper: the 90th percentile value of the most recent round of sampling and the number of sampling sites exceeding the action level.
- F) For total coliform:
- i) The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or
- ii) The highest monthly percentage of positive samples for systems collecting at least 40 samples per month;
- G) For fecal coliform: the total number of positive samples; and
- H) The likely source(s) of detected contaminants to the best of the supplier's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source

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water assessments, and must be used when available to the supplier. If the supplier lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in Appendix G of this Part which are most applicable to the CWS.

5) If a CWS distributes water to its customers from multiple hydraulically independent distribution systems that are fed by different raw water sources, the table must contain a separate column for each service area and the report must identify each separate distribution system. Alternatively, a CWS may produce separate reports tailored to include data for each service area.

6) The table(s) must clearly identify any data indicating violations of MCLs or treatment techniques and the report must contain a clear and readily understandable explanation of the violation including: the length of the violation, the potential adverse health effects, and actions taken by the CWS to address the violation. To describe the potential health effects, the CWS shall use the relevant language of Appendix H of this Part.

7) For detected unregulated contaminants, a report which monitoring is required (except Cryptosporidium, J23 table(s)) must contain the average and range at which the contaminant was detected. The report may include a brief explanation of the reasons for monitoring for unregulated contaminants.

e) Information for regulated contaminants and other contaminants:

1) If the CWS has performed any monitoring for Cryptosporidium, including monitoring performed to satisfy the requirements of Subpart L, that indicates that Cryptosporidium may be present in the source water or the finished water, the report must include:

A) A summary of the results of the monitoring; and

B) An explanation of the significance of the results.

2) If the CWS has performed any monitoring for radon which indicates that radon may be present in the finished water, the report must include:

A) The results of the monitoring; and

B) An explanation of the significance of the results.

3) If the CWS has performed additional monitoring that indicates the presence of other contaminants in the finished water, the report must include:

A) The results of the monitoring; and

B) An explanation of the significance of the results noting the existence of any health advisory or proposed regulation.

f) Compliance with an NPDES. In addition to the requirements of subsection (d)(7) of this Section, the report must note any violation that occurred during the year covered by the report of a requirement listed below, and include a clear and readily understandable explanation of the violation, any potential adverse health effects, and the steps the CWS has taken to correct the violation.

1) Monitoring and reporting of compliance data:

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2) Filtration and disinfection prescribed by Subpart B of this Part. For CWSs that have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of such equipment or processes which constitutes a violation of this Part, the report must include the following language as part of the explanation of potential adverse health effects: inadequate treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

3) Lead and copper control requirements prescribed by Subpart G of this Part. For systems that fail to take one or more actions prescribed by Section 611.350(d), 611.351, 611.352, 611.353, or 611.359, the report must include the applicable language of 611.359. The report must include the following language as part of the explanation of potential adverse health effects: inadequate treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

4) Lead and copper control requirements prescribed by Subpart G of this Part. For systems that fail to take one or more actions prescribed by Section 611.350(d), 611.351, 611.352, 611.353, or 611.359, the report must include the applicable language of 611.359. The report must include the following language as part of the explanation of potential adverse health effects: inadequate treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

5) Recordkeeping of compliance data. The report must include the relevant language from Appendix I.

6) Special monitoring requirements prescribed by Sections 611.510 and 611.630; and

7) Violation of the terms of a variance, adjusted standard, site-specific rule, or administrative or judicial order. Variances, adjusted standards, and site-specific rules, if a system is operating under the terms of a variance, adjusted standard, or site-specific rule issued under Sections 611.111, 611.112, 611.130, or 611.131, the report must contain:

1) An explanation of the reasons for the variance, adjusted standard, or site-specific rule;

2) The date on which the variance, adjusted standard, or site-specific rule was issued;

3) A brief status report on the steps the CWS is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance, adjusted standard, or site-specific rule; and

4) A notice of any opportunity for public input in the review, or renewal, of the variance, adjusted standard, or site-specific rule.

5) Additional information:

1) The report must contain a brief explanation regarding contaminants that may reasonably be expected to be found in drinking water, including bottled water. This explanation may include the language of subsections (b)(1)(A) through (C) of this Section or CWSs may use their own comparable language. The report also must include the language of subsection (b)(1)(D) of this Section.

A) The sources of drinking water (both tap water and bottled

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water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

- b) Contaminants that may be present in source water include:
- i) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife;
 - ii) Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming;
 - iii) Pesticides and herbicides, which may come from a variety of sources, such as agriculture, urban stormwater runoff, and residential uses;
 - iv) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems; and
 - v) Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.
- c) In order to ensure that tap water is safe to drink, USEPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. United States Food and Drug Administration (FDA) regulations establish limits for contaminants in bottled water that must provide the same protection for public health.
- d) Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA Safe Drinking Water Hotline (800-426-4791).
- e) The report must include the telephone number of the owner, operator, or designee of the CWS as a source of additional information concerning the report.
- f) In communities with a large proportion of non-English speaking residents, as determined by the Agency, the report must contain information in the appropriate language(s) regarding the importance of the report or contain a telephone number or address

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where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

4) The report must include information about opportunities for public participation in decisions that may affect the quality of the water.

5) The CWS may include such additional information as it deems necessary for public education consistent with, and not detracting from, the purpose of the report.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 611.884 Required Additional Health Information

- a) All reports must prominently display the following language: Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. USEPA or Center for Disease Control guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the USEPA Safe Drinking Water Hotline (800-426-4791).
- b) 1) CWS that include in its report a short informational statement about arsenic, using the following language: USEPA is reviewing the drinking water standard for arsenic because of special concerns that it may not be stringent enough. Arsenic is a naturally-occurring mineral known to cause cancer in humans at high concentrations, or at levels above 10 parts per billion (ppb).
- 2) With the Agency's educational statement, but only in consultation with the Agency.
- c) A CWS that detects nitrate at levels above 5 mg/L, but below the MCL: 1) Shall include a short informational statement about the impacts of nitrate on children, using the following language: Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider; or
- 2) May write its own educational statement, but only in consultation with the Agency.
- d) A CWS that detects lead above the action level in more than 5%, but fewer than 10%, of homes sampled:

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- 1) Shall include a short informational statement about the special impact of lead on children, using the following language: Infants and young children are typically more vulnerable to lead in drinking water than the general population. It is possible that lead levels at your home may be higher than at other homes in the community as a result of materials used in your home's plumbing. If you are concerned about elevated lead levels in your home's water, you may wish to have your water tested and flush your tap for 30 seconds to 2 minutes before using tap water. Additional information is available from the USEPA Safe Drinking Water Hotline (800-426-4791), or with the Agency.
- 2) With the Agency.
- e) A CMS that detects TTHM above 0.080 mg/L, but below the MCL in Section 611.312, as an annual average, monitored and calculated under the provisions of Section 611.680, shall include the health effects language prescribed by Appendix H(73).

(Source: Added at 23 Ill. Reg. _____ effective _____)

Section 611.885 Report Delivery and Recordkeeping

- a) Except as provided in subsection (g) of this Section, each CMS shall mail or otherwise directly deliver one copy of the report to each Customer.
- b) The CMS shall make a good faith effort to reach consumers who do not get water bills, using means recommended by the Agency. A good faith effort to reach consumers includes, but is not limited to, methods such as: posting the reports on the Internet; advertising; thus availability of the report in the news media; publication in a local newspaper, or delivery of the report by first class mail. No later than the date the CMS is required to distribute the report to its customers, each CMS shall mail a copy of the report to the Agency. Good within three months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the Agency.
- d) No later than the date the CMS is required to distribute to its customers, each CMS shall deliver the report to any other Agency or clearinghouse identified by the Agency.
- e) Each CMS shall make its reports available to the public upon request.
- f) Each CMS serving 100,000 or more persons shall post its current year's report to a publicly-accessible site on the Internet.
- g) The Governor or his designee may waive the requirement of subsection (a) of this Section for a CMS serving fewer than 10,000 persons.
- 1) Such a CMS shall:
- A) Publish the report in one or more local newspapers serving

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- the county in which the CMS is located.
- B) Inform the customers that the report will not be mailed, either in the newspapers in which the report is published or by other means approved by the Agency, and
- C) Make the report available to the public upon request.
- 2) Systems serving fewer than 500 persons may forgo the requirements of subsections (g)(1)(A) and (B) of this Section if they provide notice at least once per year to their customers by mail, door-to-door delivery or by posting in a location approved by the Agency that the report is available upon request.
- b) Any system subject to this Subpart shall retain copies of its consumer confidence report for no less than five years.

(Source: Added at 23 Ill. Reg. _____ effective _____)

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Section 611.APPENDIX A Mandatory Health Effects Information

- 1) Trichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that trichloroethylene is a health concern at certain levels of exposure. This chemical is a common metal cleaning and dry cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice. Chemicals that cause cancer in laboratory animals increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set forth the enforceable drinking water standard for trichloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 2) Carbon tetrachloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbon tetrachloride is a health concern at certain levels of exposure. This chemical was once a popular household cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for carbon tetrachloride at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 3) 1,2-Dichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaning fluid for fats, oils, waxes and resins. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals may also increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,2-dichloroethane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 4) Vinyl chloride. The United States Environmental Protection Agency

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- (USEPA) sets drinking water standards and has determined that vinyl chloride is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been associated with significantly increased risks of cancer among certain industrial workers who were exposed to relatively high amounts of this chemical during their working careers. Animals when they have been exposed to high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for vinyl chloride at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 5) Benzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that benzene is a health concern at certain levels of exposure. This chemical is used as a solvent and degreaser of metals. It is also a major component of gasoline. Drinking water contamination generally results from leaking underground gasoline and petroleum tanks or improper waste disposal. This chemical has been associated with significantly increased risks of leukemia among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the drinking water standard for benzene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 6) 1,1-Dichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1-dichloroethylene is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their

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lifetimes. Chemicals that cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1-dichloroethene at 0.007 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 7) Para-dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that para-dichlorobenzene is a health concern at certain levels of exposure. This chemical is a component of deodorizers, moth balls and pesticides. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for para-dichlorobenzene at 0.075 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 8) 1,1,1-Trichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,1-trichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaner and degreaser of metals. It generally gets into drinking water by improper waste disposal. This chemical has been shown to damage the liver, nervous system and circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the liver, nervous system and circulatory system. Chemicals which cause adverse effects among exposed industrial workers and in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1,1-trichloroethane at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 9) Fluoride. The U.S. Environmental Protection Agency requires that we send you this notice on the level of fluoride in your drinking water. The drinking water in your community has a fluoride concentration of [concentration to be provided by supplier] milligrams per liter (mg/L).

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Federal regulations require that fluoride, which occurs naturally in your water supply, not exceed a concentration of 4.0 mg/L in drinking water. This is an enforceable standard called a Maximum Contaminant Level (MCL), and it has been established to protect the public health. Exposure to drinking water levels above 4.0 mg/L for many years may result in some cases of crippling skeletal fluorosis, which is a serious bone disorder.

Federal law also requires that we notify you when monitoring indicates that the fluoride in your drinking water exceeds 2.0 mg/L. This is intended to alert families about dental problems that might affect children under nine years of age. The fluoride concentration of your water exceeds this federal guideline.

Fluoride in children's drinking water at levels of approximately 1 mg/L reduces the number of dental cavities. However, some children exposed to levels of fluoride greater than about 2.0 mg/L may develop dental fluorosis. Dental fluorosis, in its moderate and severe forms, is a brown staining and/or pitting of the permanent teeth.

Because dental fluorosis occurs only when developing teeth (before they erupt from the gums) are exposed to elevated fluoride levels, households without children are not expected to be affected by this level of fluoride. Families with children under the age of nine are encouraged to seek other sources of drinking water for their children to avoid the possibility of staining and pitting.

Your water supplier can lower the concentration of fluoride in your water so that you will still receive the benefits of cavity prevention while the possibility of stained and pitted teeth is minimized. Removal of fluoride may increase your water costs. Treatment systems are also commercially available for home use. Information on such systems is available at the address given below. Low fluoride bottled drinking water that would meet all standards is also commercially available.

For further information, contact [name of contact person to be provided by supplier] at your water system.

- 10) Microbiological contaminants (for use when there is a violation of the BOARD NOTE: Derived from 40 CFR 141.32(e)(9) and 143.5 (1998/99)). Treatment technique requirements for filtration and disinfection in Subpart B of Subpart R of this Part). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set enforceable requirements for treating drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting

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the water removes or destroys microbiological contaminants. Drinking water which is treated to meet USEPA requirements is associated with little to none of this risk and should be considered safe.

- 11) Total coliforms. (To be used when there is a violation of Section 611.325(a) and not a violation of Section 611.325(b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliforms are common in the environment and are generally not harmful themselves. The presence of these bacteria in drinking water, however, generally is a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for total coliforms to reduce the risk of these adverse health effects. Under this standard, no more than 5.0 percent of the samples collected during a month can contain these bacteria, except that systems collecting fewer than 40 samples/month that have one total coliform-positive sample per month are not violating the standard. Drinking water which meets this standard is usually not associated with a health risk from disease-causing bacteria and should be considered safe.

- 12) Fecal Coliforms/E. coli. (To be used when there is a violation of Section 611.325(b) or both Section 611.325(a) and (b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of fecal coliforms or E. coli is a serious health concern. Fecal coliforms and E. coli are generally not harmful themselves, but their presence in drinking water is serious because they usually are associated with sewage or animal wastes. The presence of these bacteria in drinking water is generally a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for fecal coliforms and E. coli to reduce the risk of these adverse health effects. Under this standard all drinking water samples must be free of these bacteria. Drinking water which meets this standard is associated with little or none of this risk and should be considered safe. State and local health authorities recommend that consumers take the following precautions: [To be inserted by the public water system, according to instruction from State or local authorities].

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- 13) Lead. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lead is a health concern at certain exposure levels. Materials that contain lead have frequently been used in the construction of water supply distribution systems, and plumbing systems in private homes and other buildings. The most commonly found materials include service lines, pipes, brass and bronze fixtures, and solder and fluxes. Lead in these materials can contaminate drinking water as a result of the corrosion that takes place when water comes into contact with those materials. Lead can cause a variety of adverse health effects in humans. At relatively low levels of exposure, these effects may include interference with red blood cell chemistry, delays in normal physical and mental development in babies and young children, slight deficits in the attention span, hearing, and learning abilities of children, and slight increases in blood pressure of some adults. USEPA's national primary drinking water regulation requires all public water systems to optimize corrosion control to minimize lead contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have lead concentrations below 15 parts per billion (ppb) in more than 90% of tap water samples (the USEPA "action level") have optimized their corrosion control treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove lead in source water is needed. Any water system that continues to exceed the action level after installation of corrosion control or ~~and/or~~ source water treatment must eventually replace all lead service lines contributing in excess of 15 ppb of lead to drinking water. Any water system that exceeds the action level must also undertake a public education program to inform consumers of ways they can reduce their exposure to potentially high levels of lead in drinking water.

- 14) Copper. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that copper is a health concern at certain exposure levels. Copper, a reddish-brown metal, is often used to plumb residential and commercial structures that are connected to water distribution systems. Copper contaminating drinking water as a corrosion by-product occurs as the result of the corrosion of copper pipes that remain in contact with water for a prolonged period of time. Copper is an essential nutrient, but at high doses it has been shown to cause stomach and intestinal distress, liver and kidney damage, and anemia. Persons with Wilson's disease may be at a higher risk of health effects due to copper than the general public. USEPA's national primary drinking water regulation requires all public water systems to install optimal corrosion control to minimize copper contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have copper concentrations below 1.3 parts per million (ppm) in more than 90% of tap water samples (the USEPA "action level") are not required to install or improve their treatment. Any

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water system that exceeds the action level must also monitor their source water to determine whether treatment to remove copper in source water is needed.

- 15) Asbestos. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that asbestos fibers greater than 10 micrometers in length are a health concern at certain levels of exposure. Asbestos is a naturally occurring mineral. Most asbestos fibers in drinking water are less than 10 micrometers in length and occur in drinking water from natural sources and from corroded asbestos-cement pipes in the distribution system. The major uses of asbestos were in the production of cements, floor tiles, paper products, paint, and caulking, in transportation-related applications; and in the production of textiles and plastics. Asbestos was once a popular insulating and fire retardant material. Inhalation studies have shown that various forms of asbestos have produced lung tumors in laboratory animals. The available information on the risk of developing gastrointestinal tract cancer associated with the ingestion of asbestos from drinking water is limited. Ingestion of intermediate-range chrysotile asbestos fibers greater than 10 micrometers in length is associated with causing benign tumors in male rats. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for asbestos at 7 million long fibers per liter to reduce the potential risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the USEPA standard is associated with little to none of this risk and should be considered safe with respect to asbestos.

- 16) Barium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that barium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in some aquifers that serve as sources of groundwater. It is also used in oil and gas drilling muds, automotive paints, bricks, tiles, and jet fuels. It generally gets into drinking water after dissolving from naturally occurring minerals in the ground. This chemical may damage the heart and vascular system, and is associated with high blood pressure in laboratory animals such as rats exposed to high levels during their lifetimes. In humans, USEPA believes that affects from barium on blood pressure should not occur below 2 parts per million (ppm) in drinking water. USEPA has set the drinking water standard for barium at 2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to barium.

- 17) Cadmium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that cadmium is a health concern at certain levels of exposure. Food and the smoking of tobacco are common sources of general exposure. This inorganic metal

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is a contaminant in the metals used to galvanize pipe. It generally gets into water by corrosion of galvanized pipes or by improper waste disposal. This chemical has been shown to damage the kidney in animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the kidney. USEPA has set the drinking water standard for cadmium at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cadmium.

- 18) Chromium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chromium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in the ground and is often used in the electroplating of metals. It generally gets into water from runoff from old mining operations and improper waste disposal from plating operations. This chemical has been shown to damage the kidney, nervous system, and the circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels. Some humans who were exposed to high levels of this chemical suffered liver and kidney damage, dermatitis and respiratory problems. USEPA has set the drinking water standard for chromium at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chromium.

- 19) Mercury. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that mercury is a health concern at certain levels of exposure. This inorganic metal is used in electrical equipment and some water pumps. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the kidney of laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. USEPA has set the drinking water standard for mercury at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to mercury.

- 20) Nitrate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrate poses an acute health concern at certain levels of exposure. Nitrate is used in fertilizer and is found in sewage and wastes from human and/or farm animals and generally gets into drinking water from those activities. Excessive levels of nitrate in drinking water have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrate is converted to nitrite in the body. Nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in

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that symptoms can develop rapidly in infants. In most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 10 parts per million (ppm) for nitrate to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrite at 1 ppm. To allow for the fact that the toxicity of nitrate and nitrite are additive, USEPA has also established a standard for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrate.

21) Nitrite. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrite poses an acute health concern at certain levels of exposure. This inorganic chemical is used in fertilizers and is found in sewage and wastes from humans or other farm animals and generally gets into drinking water as a result of those activities. While excessive levels of nitrite in drinking water have not been observed, other sources of nitrite have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly. However, in most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 1 part per million (ppm) for nitrite to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrate (converted to nitrite in humans) at 10 ppm and for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrite.

22) Selenium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that selenium is a health concern at certain high levels of exposure. Selenium is also an essential nutrient at low levels of exposure. This inorganic chemical is found naturally in food and soils and is used in electronics, photocopy operations, the manufacture of glass, chemicals, drugs, and as a fungicide and a feed additive. In humans,

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exposure to high levels of selenium over a long period of time has resulted in a number of adverse health effects, including a loss of feeling and control in the arms and legs. USEPA has set the drinking water standard for selenium at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to selenium.

23) Acrylamide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that acrylamide is a health concern at certain levels of exposure. Polymers made from acrylamide are sometimes used to treat water supplies to remove particulate contaminants. Acrylamide has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. Sufficiently large doses of acrylamide are known to cause neurological injury. USEPA has set the drinking water standard for acrylamide using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of acrylamide in the polymer and the amount of the polymer which may be added to drinking water to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to acrylamide.

24) Alachlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that alachlor is a health concern at certain levels of exposure. This organic chemical is a widely used pesticide. When soil and climatic conditions are favorable, alachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for alachlor at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to alachlor.

25) Aldicarb. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that aldicarb is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in

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laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for aldicarb at 0.003 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb.

26) Aldicarb sulfoxide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that aldicarb sulfoxide is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfoxide in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfoxide may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for aldicarb sulfoxide at 0.004 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfoxide.

27) Aldicarb sulfone. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfone may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for aldicarb sulfone at 0.0002 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone.

28) Atrazine. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that atrazine is a health concern at certain levels of exposure. This organic chemical is a herbicide. When soil and climatic conditions are favorable, atrazine may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to affect offspring of rats and the hearts of dogs. USEPA has set the drinking water standard for atrazine at 0.003 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to atrazine.

29) Carbofuran. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbofuran is a

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health concern at certain levels of exposure. This organic chemical is a pesticide. When soil and climatic conditions are favorable, carbofuran may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the nervous and reproductive systems of laboratory animals such as rats and mice exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the nervous system. Effects on the nervous system are generally rapidly reversible. USEPA has set the drinking water standard for carbofuran at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to carbofuran.

30) Chlordane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chlordane is a health concern at certain levels of exposure. This organic chemical is a pesticide used to control termites. Chlordane is not very mobile in soils. It usually gets into drinking water after application near water supply intakes or wells. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for chlordane at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chlordane.

31) Dibromochloropropane (DBCP). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, DBCP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for DBCP at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to DBCP.

32) o-Dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that o-dichlorobenzene is a health concern at certain levels of exposure.

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This organic chemical is used as a solvent in the production of pesticides and dyes. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and the blood cells of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, nervous system, and circulatory system. USEPA has set the drinking water standard for o-dichlorobenzene at 0.6 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to o-dichlorobenzene.

33) cis-1,2-dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that cis-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amount of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for cis-1,2-dichloroethylene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cis-1,2-dichloroethylene.

34) trans-1,2-dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that trans-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and the circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for trans-1,2-dichloroethylene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to trans-1,2-dichloroethylene.

35) 1,2-dichloropropane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloropropane is a health concern at certain levels of exposure. This organic chemical is used as a solvent and pesticide. When soil and climatic conditions are favorable, 1,2-dichloropropane may get

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into drinking water by runoff into surface water or by leaching into ground water. It may also get into drinking water through improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for 1,2-dichloropropane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,2-dichloropropane.

36) 2,4-D. This contaminant is subject to an "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4-D is a health concern at certain levels of exposure. This organic chemical is used as a herbicide and to control algae in reservoirs. When soil and climatic conditions are favorable, 2,4-D may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4-D at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4-D.

37) Epichlorohydrin. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that epichlorohydrin is a health concern at certain levels of exposure. Polymers made from epichlorohydrin are sometimes used in the treatment of water supplies as a flocculent to remove particulates. Epichlorohydrin generally gets into drinking water by improper use of these polymers. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for epichlorohydrin using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of epichlorohydrin in the polymer and the amount of the polymer which may be added to drinking water as a flocculent to remove particulates. Drinking water systems which comply with this treatment

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technique have little to no risk and are considered safe with respect to epichlorohydrin.

38) Ethylbenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined ethylbenzene is a health concern at certain levels of exposure. This organic chemical is a major component of gasoline. It generally gets into water by improper waste disposal or leaking gasoline tanks. This chemical has been shown to damage the kidney, liver, and nervous system of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for ethylbenzene at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to ethylbenzene.

39) Ethylene dibromide (EDB). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that EDB is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, EDB may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for EDB at 0.00005 parts per million (ppm) to reduce the risk of cancer of other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to EDB.

40) Heptachlor. This contaminant is subject to an "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor at 0.0004 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to

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none of this risk and is considered safe with respect to heptachlor. 41) Heptachlor epoxide. This contaminant is subject to an "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor epoxide is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor epoxide may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor epoxide at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor epoxide.

42) Lindane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lindane is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, lindane may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and immune system of laboratory animals such as rats, mice and dogs exposed at high levels during their lifetimes. Some humans also were exposed to relatively large amounts of this chemical also suffered damage to the nervous system and circulatory system. USEPA has established the drinking water standard for lindane at 0.0002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to lindane.

43) Methoxychlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that methoxychlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, methoxychlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. USEPA has set the drinking water standard for methoxychlor at 0.04 parts per million (ppm) to protect against

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the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to methoxychlor.

44) Monochlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that monochlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. USEPA has set the drinking water standard for monochlorobenzene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to monochlorobenzene.

45) Polychlorinated biphenyls (PCBs). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that polychlorinated biphenyls (PCBs) are a health concern at certain levels of exposure. These organic chemicals were once widely used in electrical transformers and other industrial equipment. They generally get into drinking water by improper waste disposal or leaking electrical industrial equipment. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for PCBs at 0.0005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to PCBs.

46) Pentachlorophenol. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that pentachlorophenol is a health concern at certain levels of exposure. This organic chemical is widely used as a wood preservative, herbicide, disinfectant, and defoliant. It generally gets into drinking water by runoff into surface water or leaching into groundwater. This chemical has been shown to produce adverse reproductive effects and to damage the liver and kidneys of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the liver and kidneys. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for pentachlorophenol at 0.001 parts per million (ppm)

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to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to pentachlorophenol.

47) Styrene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that styrene is a health concern at certain levels of exposure. This organic chemical is commonly used to make plastics and is sometimes a component of resins used for drinking water treatment. Styrene may get into drinking water from improper waste disposal. This chemical has been shown to damage the liver and nervous system in laboratory animals when exposed at high levels during their lifetimes. USEPA has set the drinking water standard for styrene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to styrene.

48) Tetrachloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that tetrachloroethylene is a health concern at certain levels of exposure. This organic chemical has been a popular solvent, particularly for dry cleaning. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for tetrachloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to tetrachloroethylene.

49) Toluene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toluene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and in the manufacture of gasoline for airplanes. It generally gets into water by improper waste disposal or leaking underground storage tanks. This chemical has been shown to damage the kidney, nervous system, and circulatory system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, kidney and nervous system. USEPA has set the drinking water standard for toluene at 1 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to toluene.

50) Toxaphene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toxaphene is a health concern at certain levels of exposure. This organic chemical

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was once a pesticide when used on cotton, corn, soybeans, pineapples and other crops. When soil and climatic conditions are favorable, toxaphene may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that caused cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for toxaphene at 0.003 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to toxaphene.

51) 2,4,5-TP. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4,5-TP is a health concern at certain levels of exposure. This organic chemical is used as a herbicide. When soil and climatic conditions are favorable, 2,4,5-TP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4,5-TP at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4,5-TP.

52) Xylenes. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that xylene is a health concern at certain levels of exposure. This organic chemical is used in the manufacture of gasoline for airplanes and as a solvent for pesticides, and as a cleaner and degreaser of metals. It usually gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for xylene at 10 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to xylene.

53) Antimony. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that antimony is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in the flame retardant industry. It is also used in ceramics and glass, batteries, fireworks, and explosives. It may get

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into drinking water through natural weathering of rock, industrial production, municipal waste disposal, or manufacturing processes. This chemical has been shown to decrease longevity, and altered blood levels of cholesterol and glucose in laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for antimony at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to antimony.

54) Beryllium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that beryllium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in electrical equipment and electrical components. It generally gets into water from runoff from mining operations, discharge from processing plants, and improper waste disposal. Beryllium compounds have been associated with damage to the bones and lungs and induction of cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. There is limited evidence to suggest that beryllium may pose a cancer risk via drinking water exposure. Therefore, USEPA based the health assessment on noncancer effects with the extra uncertainty factor to account for possible carcinogenicity. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for beryllium at 0.004 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to beryllium.

55) Cyanide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that cyanide is a health concern at certain levels of exposure. This inorganic chemical is used in electroplating, steel processing, plastics, synthetic fabrics, and fertilizer products. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the spleen, brain, and liver of humans fatally poisoned with cyanide. USEPA has set the drinking water standard for cyanide at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cyanide.

56) Nickel. This subsection corresponds with 40 CFR 141.32(e)(56) marked "reserved" by USEPA. This statement maintains structural consistency with USEPA rules.

57) Thallium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that thallium is a health concern at certain high levels of exposure. This inorganic

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chemical occurs naturally in soils, ground water, and surface water and is used in electronics, pharmaceuticals, and the manufacture of glass and alloys. This chemical has been shown to damage the kidney, liver, brain, and intestines of laboratory animals when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for thallium at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to thallium.

58) Benzo(a)pyrene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that benzo(a)pyrene is a health concern at certain levels of exposure. Cigarette smoke and charbroiled meats are common sources of general exposure. The major source of benzo(a)pyrene in drinking water is the leaching from coal tar lining and sealants in water storage tanks. This chemical has been shown to cause cancer in animals such as rats and mice when the animals are exposed to high levels. USEPA has set the drinking water standard for benzo(a)pyrene at 0.0002 parts per million (ppm) to protect against the risk of cancer. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to benzo(a)pyrene.

59) Dalapon. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dalapon is a health concern at certain levels of exposure. This organic chemical is a widely used herbicide. It may get into drinking water after application to control grasses in crops, drainage ditches, and along railroads. This chemical has been associated with damage to the kidney and liver in laboratory animals when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for dalapon at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dalapon.

60) Dichloromethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dichloromethane (methylene chloride) is a health concern at certain levels of exposure. This organic chemical is a widely used solvent. It is used in the manufacture of paint remover, as a metal degreaser, and as an aerosol propellant. It generally gets into water after improper discharge of waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for dichloromethane at 0.005 parts per million (ppm) to protect against the risk of cancer or other adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe

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with respect to dichloromethane.

61) Di(2-ethylhexyl)adipate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that di(2-ethylhexyl)adipate is a health concern at certain levels of exposure. Di(2-ethylhexyl)adipate is a widely used plasticizer in a variety of products, including synthetic rubber, food packaging material, and cosmetics. It may get into drinking water after improper waste disposal. This chemical has been shown to damage the liver and tests in laboratory animals such as rats and mice when the animals are exposed to high levels. USEPA has set the drinking water standard for di(2-ethylhexyl)adipate at 0.4 parts per million (ppm) to protect against the risk of adverse health effects that have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to di(2-ethylhexyl)adipate.

62) Di(2-ethylhexyl)phthalate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that di(2-ethylhexyl)phthalate is a health concern at certain levels of exposure. Di(2-ethylhexyl)phthalate is a widely used plasticizer, which is primarily used in the production of polyvinyl chloride (PVC) resins. It may get into drinking water after improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for di(2-ethylhexyl)phthalate at 0.004 parts per million (ppm) to protect against the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to di(2-ethylhexyl)phthalate.

63) Dinoseb. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dinoseb is a health concern at certain levels of exposure. Dinoseb is a widely used pesticide and generally gets into water after application on orchards, vineyards, and other crops. This chemical has been shown to damage the thyroid and reproductive organs in laboratory animals such as rats exposed to high levels. USEPA has set the drinking water standard for dinoseb at 0.007 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dinoseb.

64) Diquat. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that diquat is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney, and gastrointestinal tract and causes cataract formation in laboratory animals such as dogs and rats exposed at high levels over their lifetimes. USEPA has set the

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drinking water standard for diquat at 0.02 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to diquat.

65) Endothall. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that endothall is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney, gastrointestinal tract, and reproductive system of laboratory animals such as rats and mice exposed at high levels over their lifetimes. USEPA has set the drinking water standard for endothall at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to endothall.

66) Endrin. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that endrin is a health concern at certain levels of exposure. This organic chemical is a pesticide no longer registered for use in the United States. However, this pesticide is persistent in treated soils and accumulates in sediments and aquatic and terrestrial biota. This chemical has been shown to cause damage to the liver, kidney, and heart in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for endrin at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects that have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to endrin.

67) Glyphosate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that glyphosate is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control grasses and weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to cause damage to the liver and kidneys in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for glyphosate at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to glyphosate.

68) Hexachlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that hexachlorobenzene is a health concern at certain levels of exposure. This organic chemical is produced as an impurity in the manufacture of certain solvents and pesticides. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the

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animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for hexachlorobenzene at 0.001 parts per million (ppm) to protect against the risk of cancer and other adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to hexachlorobenzene.

69) Hexachlorocyclopentadiene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that hexachlorocyclopentadiene is a health concern at certain levels of exposure. This organic chemical is used as an intermediate in the manufacture of pesticides and flame retardants. This chemical has been shown by discharge from production facilities. This chemical has been shown to damage the kidney and the stomach of laboratory animals when exposed to high levels during their lifetimes. USEPA has set the drinking water standard for hexachlorocyclopentadiene at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to hexachlorocyclopentadiene.

70) Oxamyl. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that oxamyl is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for the control of insects and other pests. It may get into drinking water by runoff into surface water or leaching into groundwater. This chemical has been shown to damage the kidneys of laboratory animals such as rats when exposed at high levels during their lifetimes. USEPA has set the drinking water standard for oxamyl at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to oxamyl.

71) Picloram. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that picloram is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for broadleaf weed control. It may get into drinking water by runoff into surface water or leaching into groundwater as a result of pesticide application and improper waste disposal. This chemical has been shown to cause damage to the kidneys and liver in laboratory animals such as rats when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for picloram at 0.5 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to picloram.

72) Simazine. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that simazine is a

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health concern at certain levels of exposure. This organic chemical is a herbicide used to control annual grasses and broadleaf weeds. It may leech into groundwater or run off into surface water after application. This chemical may cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for simazine at 0.004 parts per million (ppm) to reduce the risk of cancer or adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to simazine.

73) 1,1,2-Trichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,2,4-trichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a dye carrier and as a precursor in herbicide manufacture. It generally gets into drinking water by discharge from industrial activities. This chemical has been shown to cause damage to several organs, including the adrenal glands. USEPA has set the drinking water standard for 1,1,2,4-trichlorobenzene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,1,2,4-trichlorobenzene.

74) 1,1,2-Trichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,2,4-trichloroethane is a health concern at certain levels of exposure. This organic chemical is an intermediate in the production of 1,1-dichloroethylene. It generally gets into water by industrial discharge of wastes. This chemical has been shown to damage the kidney and liver of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for 1,1,2-trichloroethane at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,1,2-trichloroethane.

75) 2,3,7,8-TCDD (dioxin). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dioxin is a health concern at certain levels of exposure. This organic chemical is an impurity in the production of some pesticides. It may get into drinking water by industrial discharge of wastes. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for dioxin at 0.00000003 parts per million (ppm) to protect against

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the risk of cancer or other adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dioxin.

76) Chlorine. The USEPA sets drinking water standards and has determined that chlorine is a health concern at certain levels of exposure. Chlorine is added to drinking water as a disinfectant to kill bacteria and other disease-causing microorganisms and is also added to provide continuous disinfection throughout the distribution system. Disinfection is required for surface water systems. However, at high doses for extended periods of time, chlorine has been shown to affect blood and the liver in laboratory animals. USEPA has set a drinking water standard for chlorine to protect against the risk of these adverse effects. Drinking water which meets this USEPA standard is associated with little to none of this risk and should be considered safe with respect to chlorine.

77) Chloramines. The USEPA sets drinking water standards and has determined that chloramines are a health concern at certain levels of exposure. Chloramines are added to drinking water as a disinfectant to kill bacteria and other disease-causing microorganisms and are also added to provide continuous disinfection throughout the distribution system. Disinfection is required for surface water systems. However, at high doses for extended periods of time, chloramines have been shown to affect blood and the liver in laboratory animals. USEPA has set a drinking water standard for chloramines to protect against the risk of these adverse effects. Drinking water which meets this USEPA standard is associated with little to none of this risk and should be considered safe with respect to chloramines.

78) Chlorine dioxide. The USEPA sets drinking water standards and has determined that chlorine dioxide is a health concern at certain levels of exposure. Chlorine dioxide is used in water treatment to kill bacteria and other disease-causing microorganisms and can be used to control tastes and odors. Disinfection is required for surface water systems. However, at high doses, chlorine dioxide-treated drinking water has been shown to affect blood in laboratory animals. Also, high levels of chlorine dioxide given to laboratory animals in drinking water have been shown to cause neurological effects on the developing nervous system. These neurodevelopmental effects may occur as a result of a short-term excessive chlorine dioxide exposure. To protect against such potentially harmful exposures, USEPA requires chlorine dioxide monitoring at the treatment plant, where disinfection occurs, and at representative points in the distribution system serving water users. USEPA has set a drinking water standard for chlorine dioxide to protect against the risk of these adverse effects. Note: In addition to the language in this introductory text of subsection (78)(a), systems must include either the language in subsection (78)(a) or (78)(b) of this Appendix. Systems with a violation at the treatment plant, but not in the distribution system, are required to use the language in subsection (78)(a) and treat the

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violation as a nonacute violation. Systems with a violation in the distribution system are required to use the language in subsection (78)(b) of this Appendix and treat the violation as an acute violation.

- a) The chlorine dioxide violations reported today are the result of exceedences at the treatment facility only, and do not include violations within the distribution system serving users of this water supply. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to present consumers.
 - b) The chlorine dioxide violations reported today include exceedences of the USEPA standard within the distribution system serving water users. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including pregnant women, infants, and young children, may be especially susceptible to adverse effects of excessive exposure to chlorine dioxide-treated water. The purpose of this notice is to advise that such persons should consider reducing their risk of adverse effects from these chlorine dioxide violations by seeking alternate sources of water for human consumption until such exceedences are rectified. Local and State health authorities are the best sources for information concerning alternate drinking water.
- 79) Disinfection byproducts (DBPs) and treatment technique for DBPs. The USEPA sets drinking water standards and requires the disinfection of drinking water. However, when used in the treatment of drinking water, disinfectants react with naturally-occurring organic and inorganic matter present in water to form chemicals called disinfection byproducts (DBPs). USEPA has determined that a number of DBPs are a health concern at certain levels of exposure. Certain DBPs, including some trihalomethanes (THMs) and some haloacetic acids (HAAs), have been shown to cause cancer in laboratory animals. Other DBPs have been shown to affect the liver and the nervous system, and cause reproductive or developmental effects in laboratory animals. Exposure to certain DBPs may produce similar effects in people. USEPA has set standards to limit exposure to THMs, HAAs, and other DBPs. Bromate. The USEPA sets drinking water standards and has determined that bromate is a health concern at certain levels of exposure. Bromate is formed as a byproduct of ozone disinfection of drinking water. Ozone reacts with naturally occurring bromide in the water to form bromate. Bromate has been shown to produce cancer in rats. USEPA has set a drinking water standard to limit exposure to bromate. Chlorite. The USEPA sets drinking water standards and has determined that chlorite is a health concern at certain levels of exposure. Chlorite is formed from the breakdown of chlorine dioxide, a drinking water disinfectant. Chlorite in drinking water has been shown to affect blood and the developing nervous system. USEPA has set a drinking water standard for chlorite to protect against these effects.
- 80)
- 81)

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Drinking water which meets this standard is associated with little to none of these risks and should be considered safe with respect to chlorite.

BOARD NOTE: Derived from 40 CFR 141.32(e) (1998/1995).

(Source: Amended at 23 Ill. Reg. _____, effective _____)

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Section 611. APPENDIX F. Converting Maximum Contaminant Level (MCL) Compliance Values for Consumer Confidence Reports

Key

AL = Action Level
 MCL = Maximum Contaminant Level
 MFL = million fibers per liter
 mrem/year = millirems per year (a measure of radiation absorbed by the body)
 NTU = Nephelometric Turbidity Units
 pCi/L = picocuries per liter (a measure of radioactivity)
 ppm = parts per million, or milligrams per liter (mg/L)
 ppb = parts per billion, or micrograms per liter (ug/L)
 ppt = parts per trillion, or nanograms per liter
 ppq = parts per quadrillion, or picograms per liter
 TT = Treatment Technique

MCL in compliance units (mg/L)
 multiply by...

MCL in CCR units

multiply by...

Microbiological Contaminants

1. Total Coliform Bacteria

Presence of coliform bacteria in >5% of monthly samples.

2. Fecal coliform and E. coli

A routine sample and a repeat sample are total coliform positive, and one is also fecal coliform or E. coli positive.

3. Turbidity

TT (NTU)

Radioactive Contaminants

4. Beta/Photon emitters

4 mrem/yr

5. Alpha emitters

15 pCi/L

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6. Combined radium

5 pCi/L

5 pCi/L

Inorganic Contaminants

7. Antimony

0.006

1000

6 ppb

8. Arsenic

0.05

1000

50 ppb

9. Asbestos

7 MFL

7 MFL

10. Barium

2

1000

2 ppm

11. Beryllium

0.004

1000

4 ppb

12. Cadmium

0.005

1000

5 ppb

13. Chromium

0.1

1000

100 ppb

14. Copper

AL=1.3

AL=1.3 ppm

200 ppb

15. Cyanide

0.2

1000

4 ppm

16. Fluoride

4

1000

AL=15 ppb

17. Lead

AL=0.15

1000

1000

18. Mercury (inorganic)

0.002

1000

2 ppb

19. Nitrate (as Nitrogen)

10

tc3

10 ppm

20. Nitrite (as Nitrogen)

1

tc4

1 ppm

21. Selenium

0.05

1000

50 ppb

22. Thallium

0.002

1000

2 ppb

Synthetic Organic Contaminants Including Pesticides and Herbicides

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23. 2,4-D	<u>0.07</u>	<u>1000</u>	<u>70 ppb</u>
24. 2,4,5-TP [Silvex]	<u>0.05</u>	<u>1000</u>	<u>50 ppb</u>
25. Acrylamide			<u>TT</u>
26. Alachlor	<u>0.002</u>	<u>1000</u>	<u>2 ppb</u>
27. Atrazine	<u>0.003</u>	<u>1000</u>	<u>3 ppb</u>
28. Benzo(a)pyrene [PAH]	<u>0.0002</u>	<u>1,000,000</u>	<u>200 ppt</u>
29. Carbofuran	<u>0.04</u>	<u>1000</u>	<u>40 ppb</u>
30. Chlordane	<u>0.002</u>	<u>1000</u>	<u>2 ppb</u>
31. Dalapon	<u>0.2</u>	<u>1000</u>	<u>200 ppb</u>
32. Di(2-ethyl- hexyl)adipate	<u>0.4</u>	<u>1000</u>	<u>400 ppb</u>
33. Di(2-ethyl- hexyl)phthalate	<u>0.006</u>	<u>1000</u>	<u>6 ppb</u>
34. Dibromochloro- propane	<u>0.0002</u>	<u>1,000,000</u>	<u>200 ppt</u>
35. Dinoseb	<u>0.007</u>	<u>1000</u>	<u>7 ppb</u>
36. Diquat	<u>0.02</u>	<u>1000</u>	<u>20 ppb</u>
37. Dioxin [2,3,7,8-TCDD]	<u>0.00000003</u>	<u>1,000,000,000</u>	<u>30 ppq</u>
38. Endothall	<u>0.1</u>	<u>1000</u>	<u>100 ppb</u>
39. Endrin	<u>0.002</u>	<u>1000</u>	<u>2 ppb</u>
40. Epichlorohydrin			<u>TT</u>
41. Ethylene dibromide	<u>0.00005</u>	<u>1,000,000</u>	<u>50 ppt</u>
42. Glyphosate	<u>0.7</u>	<u>1000</u>	<u>700 ppb</u>
43. Heptachlor	<u>0.0004</u>	<u>1,000,000</u>	<u>400 ppt</u>

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44. Heptachlor epoxide	<u>0.0002</u>	<u>1,000,000</u>	<u>200 ppt</u>
45. Hexachloro- benzene	<u>0.001</u>	<u>1000</u>	<u>1 ppb</u>
46. Hexachloro- cyclopentadiene	<u>0.05</u>	<u>1000</u>	<u>50 ppb</u>
47. Lindane	<u>0.0002</u>	<u>1,000,000</u>	<u>200 ppt</u>
48. Methoxychlor	<u>0.04</u>	<u>1000</u>	<u>40 ppb</u>
49. Oxamyl [Vydate]	<u>0.2</u>	<u>1000</u>	<u>200 ppb</u>
50. PCBs [Poly- chlorinated biphenyls]	<u>0.0005</u>	<u>1,000,000</u>	<u>500 ppt</u>
51. Pentachloro- phenol	<u>0.001</u>	<u>1000</u>	<u>1 ppb</u>
52. Picloram	<u>0.5</u>	<u>1000</u>	<u>500 ppb</u>
53. Simazine	<u>0.004</u>	<u>1000</u>	<u>4 ppb</u>
54. Toxaphene	<u>0.003</u>	<u>1000</u>	<u>3 ppb</u>
Volatile Organic Contaminants			
55. Benzene	<u>0.005</u>	<u>1000</u>	<u>5 ppb</u>
56. Carbon tetra- chloride	<u>0.005</u>	<u>1000</u>	<u>5 ppb</u>
57. Chlorobenzene	<u>0.1</u>	<u>1000</u>	<u>100 ppb</u>
58. o-Dichloro- benzene	<u>0.6</u>	<u>1000</u>	<u>600 ppb</u>
59. p-Dichloro- benzene	<u>0.075</u>	<u>1000</u>	<u>75 ppb</u>
60. 1,2-Dichloro- ethane	<u>0.005</u>	<u>1000</u>	<u>5 ppb</u>

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61. 1,1-Dichloro-ethylene	0.007	1000	7 ppb
62. cis-1,2-Dichloroethylene	0.07	1000	70 ppb
63. trans-1,2-Dichloroethylene	0.1	1000	100 ppb
64. Dichloromethane	0.005	1000	5 ppb
65. 1,2-Dichloropropane	0.005	1000	5 ppb
66. Ethylbenzene	0.7	1000	700 ppb
67. Styrene	0.1	1000	100 ppb
68. Tetrachloroethylene	0.005	1000	5 ppb
69. 1,2,4-Trichlorobenzene	0.07	1000	70 ppb
70. 1,1,1-Trichloroethane	0.2	1000	200 ppb
71. 1,1,2-Trichloroethane	0.005	1000	5 ppb
72. Trichloroethylene	0.005	1000	5 ppb
73. TPHs (Total trihalomethanes)	0.10	1000	100 ppb
74. Toluene	1		1 ppm
75. Vinyl Chloride	0.002	1000	2 ppb
76. Xylenes	10		10 ppm

Board Note: Derived from Appendix A to Subpart O, 40 CFR Subpart O (1998).

(Source: Added at 23 Ill. Reg. _____, effective _____)

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Section 611. APPENDIX G. Regulated Contaminants

Key

AL	= Action Level
MCL	= Maximum Contaminant Level
MFL	= million fibers per liter
mrem/year	= millirems per year (a measure of radiation absorbed by the body)
NTU	= Nephelometric Turbidity Units
pCi/L	= picocuries per liter (a measure of radioactivity)
ppm	= parts per million, or milligrams per liter (mg/L)
ppb	= parts per billion, or micrograms per liter (ug/L)
ppt	= parts per trillion, or nanograms per liter
ppq	= parts per quadrillion, or picograms per liter
TT	= Treatment Technique

Contaminant (units)

Major sources in drinking water

Microbiological Contaminants

1. Total Coliform Bacteria

Naturally present in the environment

Presence of coliform bacteria in >5% of monthly samples

2. Fecal coliform and E. coli

Human and animal fecal waste

A routine sample and a repeat sample are fecal coliform positive, and one is also fecal coliform or E. coli positive

3. Turbidity

Soil runoff

Radioactive Contaminants

4. Beta/photon emitters (mrem/yr)

Decay of natural and man-made deposits

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<u>5. Alpha emitters (pCi/L)</u>	<u>15</u>	<u>Erosion of natural deposits</u>	
<u>6. Combined radium (pCi/L)</u>	<u>5</u>	<u>Erosion of natural deposits</u>	
<u>Inorganic Contaminants</u>			
<u>7. Antimony (ppb)</u>	<u>6</u>	<u>Discharge from petroleum refineries; Fire retardants; Ceramics; Electronics; Solder</u>	
<u>8. Arsenic (ppb)</u>	<u>50</u>	<u>Erosion of natural deposits; Runoff from orchards; Runoff from glass and electronics production wastes</u>	
<u>9. Asbestos (MFL)</u>	<u>7</u>	<u>Decay of asbestos cement water mains; Erosion of natural deposits</u>	
<u>10. Barium (ppm)</u>	<u>2</u>	<u>Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits</u>	
<u>11. Beryllium (ppb)</u>	<u>4</u>	<u>Discharge from metal refineries and coal-burning factories; Discharge from electrical, aerospace, and defense industries</u>	
<u>12. Cadmium (ppb)</u>	<u>5</u>	<u>Corrosion of galvanized pipes; Erosion of natural deposits; Discharge from metal refineries; Runoff from waste batteries and paints</u>	
<u>13. Chromium (ppb)</u>	<u>100</u>	<u>Discharge from steel and pulp mills; Erosion of natural deposits</u>	
<u>14. Copper (ppm)</u>	<u>AL=1.3</u>	<u>Corrosion of household plumbing systems; Erosion of natural deposits; Leaching from wood preservatives</u>	

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<u>15. Cyanide (ppb)</u>	<u>200</u>	<u>Discharge from steel/metal factories; Discharge from plastic and fertilizer factories</u>	
<u>16. Fluoride (ppm)</u>	<u>4</u>	<u>Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories</u>	
<u>17. Lead (ppb)</u>	<u>AL=15</u>	<u>Corrosion of household plumbing systems; Erosion of natural deposits</u>	
<u>18. Mercury [inorganic] (ppb)</u>	<u>2</u>	<u>Erosion of natural deposits; Discharge from refineries and factories; Runoff from landfills; Runoff from cropland</u>	
<u>19. Nitrate [as Nitrogen] (ppm)</u>	<u>10</u>	<u>Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits</u>	
<u>20. Nitrite [as Nitrogen] (ppm)</u>	<u>1</u>	<u>Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits</u>	
<u>21. Selenium (ppb)</u>	<u>50</u>	<u>Discharge from petroleum and metal refineries; Erosion of natural deposits; Discharge from mines</u>	
<u>22. Thallium (ppb)</u>	<u>2</u>	<u>Leaching from ore-processing sites; Discharge from electronics, glass, and drug factories</u>	
<u>Synthetic Organic Contaminants Including Pesticides and Herbicides</u>			
<u>23. 2,4-D (ppb)</u>	<u>70</u>	<u>Runoff from herbicide used on row crops</u>	
<u>24. 2,4,5-TP [Silvex] (ppb)</u>	<u>50</u>	<u>Residue of banned herbicide</u>	

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25. Acrylamide	TT	Added to water during sewage/wastewater treatment	200
26. Alachlor (ppb)	2	Runoff from herbicide used on row crops	200
27. Atrazine (ppb)	3	Runoff from herbicide used on row crops	200
28. Benzo(a)pyrene [PAH] (nanograms/L)	200	Leaching from linings of water storage tanks and distribution lines	200
29. Carbofuran (ppb)	40	Leaching of soil fumigant used on rice and alfalfa	400
30. Chlordane (ppb)	2	Residue of banned termiticide	200
31. Dalapon (ppb)	200	Runoff from herbicide used on rights of way	400
32. Di(2-ethylhexyl)-adipate (ppb)	6	Discharge from chemical factories	200
33. Di(2-ethylhexyl)phthalate (ppb)	200	Discharge from rubber and chemical factories	200
34. Dibromochloropropane (ppt)	200	Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards	200
35. Dinoseb (ppb)	7	Runoff from herbicide used on soybeans and vegetables	200
36. Diquat (ppb)	20	Runoff from herbicide use	200
37. Dioxin [2,3,7,8-TCDD] (pgg)	30	Emissions from waste incineration and other combustion; Discharge from chemical factories	200
38. Endothall (ppb)	100	Runoff from herbicide use	200
39. Endrin (ppb)	2	Residue of banned insecticide	200
40. Epichlorohydrin	TT	Discharge from industrial chemical factories; An impurity of some water treatment chemicals	200

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41. Ethylene dibromide (ppt)	50	Discharge from petroleum refineries	200
42. Glyphosate (ppb)	700	Runoff from herbicide use	200
43. Heptachlor (ppt)	400	Residue of banned termiticide	200
44. Heptachlor epoxide (ppt)	200	Breakdown of heptachlor	200
45. Hexachlorobenzene (ppb)	1	Discharge from metal refineries and agricultural chemical factories	200
46. Hexachlorocyclopentadiene (ppb)	50	Discharge from chemical factories	200
47. Lindane (ppt)	200	Runoff/leaching from insecticide used on cattle, lumber, gardens	200
48. Methoxychlor (ppb)	40	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock	200
49. Oxamyl (Vydate) (ppb)	200	Runoff/leaching from insecticide used on apples, potatoes, and tomatoes	200
50. PCBs [Polychlorinated biphenyls] (ppt)	500	Runoff from landfills; Discharge of waste chemicals	200
51. Pentachlorophenol (ppb)	1	Discharge from wood preserving factories	200
52. Picloram (ppb)	500	Herbicide runoff	200
53. Simazine (ppb)	4	Herbicide runoff	200
54. Toxaphene (ppb)	3	Runoff/leaching from insecticide used on cotton and cattle	200
Volatile Organic Contaminants			
55. Benzene (ppb)	5	Discharge from factories; Leaching from gas storage tanks and landfills	200

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56. Carbon tetra- chloride (ppb)	5	Discharge from chemical plants and other industrial activities
57. Chlorobenzene (ppb)	100	Discharge from chemical and agricultural chemical factories
58. o-Dichlorobenzene (ppb)	600	Discharge from industrial chemical factories
59. p-Dichlorobenzene (ppb)	75	Discharge from industrial chemical factories
60. 1,2-Dichloro- ethane (ppb)	5	Discharge from industrial chemical factories
61. 1,1-Dichloro- ethylene (ppb)	7	Discharge from industrial chemical factories
62. cis-1,2-Dichloro- ethylene (ppb)	70	Discharge from industrial chemical factories
63. trans-1,2-Di- chloroethylene (ppb)	100	Discharge from industrial chemical factories
64. Dichloromethane (ppb)	5	Discharge from pharmaceutical and chemical factories
65. 1,2-Dichloro- propane (ppb) (ppb)	5	Discharge from industrial chemical factories
66. Ethylbenzene (ppb)	700	Discharge from petroleum refineries
67. Styrene (ppb)	100	Discharge from rubber and plastic factories; Leaching from landfills
68. Tetrachloro- ethylene (ppb)	5	Leaching from PVC pipes; Discharge from factories and dry cleaners
69. 1,2,4-Trichloro- benzene (ppb)	70	Discharge from textile finishing factories
70. 1,1,1-Trichloro- ethane (ppb)	200	Discharge from metal degreasing sites and other factories

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71. 1,1,2-Trichloro- ethane (ppb)	5	Discharge from industrial chemical factories
72. Trichloro- ethylene (ppb)	5	Discharge from metal degreasing sites and other factories
73. PTHMs [Total trihalomethanes] (ppb)	100	By-product of drinking water chlorination
74. Toluene (ppm)	1	Discharge from petroleum factories
75. Vinyl Chloride (ppb)	2	Leaching from PVC piping; Discharge from plastics factories
76. Xylenes (ppm)	10	Discharge from petroleum factories; Discharge from chemical factories

BOARD NOTE: Derived from Appendix B to Subpart O, 40 CFR Subpart O (1998).

(Source: Added at 23 Ill. Reg. _____, effective _____)

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Section 611. Appendix H Health Effects Language

Microbiological Contaminants

- 1) Total Coliform. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
- 2) Fecal coliform/E. coli. Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.
- 3) Turbidity. Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Radioactive Contaminants

- 4) Beta/photon emitters. Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
- 5) Alpha emitters. Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
- 6) Combined Radium 226/228. Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
- 7) Antimony. Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar.
- 8) Arsenic. Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with

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- their circulatory system, and may have an increased risk of getting cancer.
- 9) Asbestos. Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
- 10) Barium. Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure.
- 11) Beryllium. Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions.
- 12) Cadmium. Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage.
- 13) Chromium. Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis.
- 14) Copper. Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's disease should consult their personal doctor.
- 15) Cyanide. Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid.
- 16) Fluoride. Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Children may get mottled teeth.
- 17) Lead. Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure.
- 18) Mercury (inorganic). Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage.
- 19) Nitrate. Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill

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and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome.

20) Nitrite. Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue-baby syndrome.

21) Selenium. Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation.

22) Thallium. Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver.

Synthetic Organic Contaminants Including Pesticides and Herbicides

23) 2,4-D. Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands.

24) 2,4,5-TP (Silvex). Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems.

25) Acrylamide. Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer.

26) Alachlor. Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer.

27) Atrazine. Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties.

28) Benz(a)pyrene (PAH). Some people who drink water containing benz(a)pyrene in excess of the MCL over many years may experience reproductive difficulties, and may have an increased risk of getting cancer.

29) Carbofuran. Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems.

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30) Chlordane. Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver, or nervous system, and may have an increased risk of getting cancer.

31) Dalapon. Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes.

32) Di(2-ethylhexyl)adipate. Some people who drink water containing di(2-ethylhexyl)adipate well in excess of the MCL over many years could experience general toxic effects or reproductive difficulties.

33) Di(2-ethylhexyl)phthalate. Some people who drink water containing di(2-ethylhexyl)phthalate in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer.

34) Dibromochloropropane (DBCP). Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties, and may have an increased risk of getting cancer.

35) Dinoseb. Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties.

36) Dioxin (2,3,7,8-TCDD). Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties, and may have an increased risk of getting cancer.

37) Diquat. Some people who drink water containing diquat in excess of the MCL over many years could get cataracts.

38) Endothall. Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines.

39) Endrin. Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems.

40) Epichlorohydrin. Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer.

41) Ethylene dibromide. Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer.

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- 42) Glyphosate. Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties.
- 43) Heptachlor. Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.
- 44) Heptachlor epoxide. Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer.
- 45) Hexachlorobenzene. Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer.
- 46) Hexachlorocyclopentadiene. Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach.
- 47) Lindane. Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver.
- 48) Methoxychlor. Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties.
- 49) Oxamyl [Vydate]. Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects.
- 50) PCBs [Polychlorinated biphenyls]. Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
- 51) Pentachlorophenol. Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer.
- 52) Picloram. Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver.

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- 53) Simazine. Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood.
- 54) Toxaphene. Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer.
- Volatile Organic Contaminants
- 55) Benzene. Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.
- 56) Carbon Tetrachloride. Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver, and may have an increased risk of getting cancer.
- 57) Chlorobenzene. Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys.
- 58) o-Dichlorobenzene. Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys, or circulatory systems.
- 59) p-Dichlorobenzene. Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood.
- 60) 1,2-Dichloroethane. Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
- 61) 1,1-Dichloroethylene. Some people who drink water containing 1,1-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
- 62) cis-1,2-Dichloroethylene. Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver.
- 63) trans-1,2-Dichloroethylene. Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver.
- 64) Dichloromethane. Some people who drink water containing

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dichloromethane in excess of the MCL over many years could have liver problems, and may have an increased risk of getting cancer.

65) 1,2-Dichloropropane. Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.

66) Ethylbenzene. Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys.

67) Styrene. Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system.

68) Tetrachloroethylene. Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer.

69) 1,2,4-Trichlorobenzene. Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands.

70) 1,1,1-Trichloroethane. Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system.

71) 1,1,2-Trichloroethane. Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems.

72) Trichloroethylene. Some people who drink water containing trichloroethylene in excess of the MCL over many years could experience problems with their liver, and may have an increased risk of getting cancer.

73) TPHs [Total Trihalomethanes]. Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.

74) Toluene. Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver.

75) Vinyl Chloride. Some people who drink water containing vinyl chloride

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in excess of the MCL over many years may have an increased risk of getting cancer.

76) Xylenes. Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system.

(Source: Added at 23 Ill. Reg. _____, effective _____)

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1) Heading of the Part: The Illinois Nursing Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1300

3) Section Numbers: Proposed Action:

1300.10 Amendment
1300.15 Amendment
1300.20 Amendment
1300.25 Amendment
1300.27 Repealed
1300.30 Amendment
1300.35 Amendment
1300.40 Amendment
1300.41 Amendment
1300.42 Amendment
1300.43 Amendment
1300.44 Amendment
1300.48 Amendment
1300.50 Amendment
1300.60 Amendment
1300.65 New Section
APPENDIX A New Section
APPENDIX B New Section
APPENDIX C New Section
APPENDIX D New Section

4) Statutory Authority: Illinois Nursing Act of 1987 [225 ILCS 65]

5) A Complete Description of the Subjects and Issues Involved: Public Act 90-0064, effective December 30, 1997, includes the reauthorization of the Illinois Nursing Act of 1987, while PA 90-742, effective January 1, 1999, revises the Act. The appendices add the specific criteria for remedial education programs. Section 1300.15 adds a fee for temporary restoration and endorsement permits. Section 1300.40 adds a variance procedure for faculty who do not hold master's degrees, and provides for out-of-state education programs seeking student nurse clinical placement in Illinois. Approved programs of licensed practical nursing shall offer a course in pharmacology as set forth in Section 1300.44. Programs have until August 2000 to comply with this provision. Section 1300.65 adds unprofessional or unethical conduct in nursing practice as grounds for discipline and adopts national codes of ethics for both RNs and LPNs. Also makes various technical and cleanup changes.

6) Will these proposed amendments replace emergency rules currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

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8) Do these proposed amendments contain incorporations by reference? Yes

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield IL 62786
217/785-0813; Fax: 217/782-7645

All written comments received within 45 days of this issue of the Illinois Register will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing nursing services.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: Nursing skills are required for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 1998

The full text of the Proposed Amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1300

NURSING AND ADVANCED PRACTICE NURSING ACT -
REGISTERED PROFESSIONAL NURSE AND LICENSED PRACTICAL NURSE~~THE ILLINOIS NURSING ACT OF 1987~~

Section

1300.10 Definitions

1300.15 Fees

1300.20 Application for Examination or Licensure

1300.25 The Licensure Examination

1300.27 Application for Licensure on the Basis of Examination (Repealed)

1300.30 Licensure by Endorsement

1300.35 Remedial Education

1300.40 Approval of Programs

1300.41 Approval of Current Nursing Practice Update Course

1300.42 Standards of Professional Conduct for Registered Professional Nurses

1300.43 Standards of Professional Conduct for Licensed Practical Nurses

1300.44 Standards for Pharmacology/Administration of Medication Course for
Practical Nurses

1300.45 Renewals

1300.48 Restoration

1300.50 Granting Variances

1300.60 Practice of Nursing

1300.65 Unethical or Unprofessional Conduct in Nursing Practice

1300.70 Fines

APPENDIX A

Minimal Skills List for Registered Professional Nurses

APPENDIX B

Minimal Assignment List for Registered Professional Nurses

APPENDIX C

Minimal Skills List for Licensed Practical Nurses

APPENDIX D

Minimal Assignment List for Licensed Practical Nurses

AUTHORITY: Implementing the Nursing and Advanced Practice Nursing Act [225 ILCS 65] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Adopted at 4 Ill. Reg. 4, p. 290, effective January 14, 1980; amended at 5 Ill. Reg. 801, effective January 7, 1981; codified at 5 Ill. Reg. 11044; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982, for a maximum of 150 days; 10023, effective August 1, 1982; amended at 9 Ill. Reg. 6297, effective April 24, 1985; amended at 9 Ill. Reg. 13355, effective August 21, 1985; amended at 11 Ill. Reg. 18251, effective October 27, 1987; transferred from Chapter I, 68 Ill. Adm. Code 300 (Department of Registration and Education) to Chapter VII,

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68 Ill. Adm. Code 1300 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2938; amended at 12 Ill. Reg. 12088, effective July 12, 1988; amended at 14 Ill. Reg. 10035, effective June 12, 1990; emergency amendment at 15 Ill. Reg. 2855, effective February 5, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 8573, effective May 28, 1991; amended at 17 Ill. Reg. 1572, effective January 25, 1993; amended at 19 Ill. Reg. 13552, effective September 19, 1995; amended at 22 Ill. Reg. 3895, effective February 5, 1998; amended at 22 Ill. Reg. 19273, effective October 13, 1998; amended at 23 Ill. Reg. _____, effective _____.

Section 1300.10 Definitions

The following definitions shall apply to this Part:

- a) "Task" means work not requiring professional knowledge, judgment and/or decision making;
- b) "Professional Responsibility" includes making decisions and judgments requiring use of nursing knowledge acquired by completion of an approved program for licensure as a practical or professional nurse;
- c) "Supervision" means monitoring and providing guidance in which the supervisor maintains accountability for tasks and/or professional responsibilities delegated to another;
- d) "Direct Supervision" means being ~~in close physical proximity~~ within the facility to provide initial direction, procedural guidance, and evaluation of tasks and professional responsibilities delegated to a licensed pending nurse ~~another~~;
- e) "Delegation" means assignment of tasks as defined in subsection (a) above and/or professional responsibilities as defined in subsection (b) above to another in which the delegator ~~supervisor~~ holds the other individual responsible and accountable for performance while maintaining accountability for the assigned tasks and professional responsibilities;
- f) "Direction" means to give authoritative instruction to another regarding tasks and/or professional responsibilities; and
- g) "Act" means the ~~Nursing and Advanced Practice Nursing Act [225 ILCS 65]~~ ~~Illinois Nursing Act of 1987 (11th Rev. Stat. 1987 ch. iii, par. 9561 et seq.)~~

(Source: Amended at 23 Ill. Reg. _____, effective _____.)

Section 1300.15 Fees

The following fees shall be paid to the Department and are not refundable:

- a) Application Fees:
 - 1) The fee for application for a license as a registered professional nurse and a licensed practical nurse is \$50. In addition, applicants for an examination shall be required to pay,

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either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

- 2) The fee for a temporary restoration or endorsement permit for a license as a registered professional nurse and licensed Practical nurse is \$20.

b) Renewal Fees

The fee for the renewal of a license shall be calculated at the rate of \$20 per year.

c) General Fees

- 1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, but not to exceed \$125.

- 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license which has been lost or destroyed or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no duplicate license is issued.

- 3) The fee for a certification of a licensee's record for any purpose is \$20.

- 4) The fee to have the scoring of an examination authorized by the Department reviewed and verified is \$20 plus any fees charged by the applicable testing service.

- 5) The fee for a wall certificate showing licensure shall be the actual cost of producing such certificate.

- 6) The fee for a roster of persons licensed as registered professional nurses or licensed practical nurses in this State shall be the actual cost of producing such a roster.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.20 Application for Examination or Licensure

- a) Each applicant shall file, with the testing service designated by the Department of Professional Regulation (the Department), a completed, signed application, on forms supplied by the Department, which includes:

- 1) proof of graduation from a nursing education program that meets the requirements of Section 1300.40 of this Part;
- 2) signature of the Director of the nursing education program or other person designated by the Director of the nursing education

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- program;
- 3) a complete work history since graduation from a practical nurse education program or a professional nurse education program whichever came first;

- 4) the required fees examination-fee set forth in Section 1300.15 of this Part 29-of-the-Act;

- 5) proof of passage for registered professional nurse applicants of:

- A) the Commission on Graduates of Foreign Nursing Schools (CGFNS) Examination for all persons applying after January 1, 1984, who completed a nursing education program in a country other than the United States or its territories; or

- B) the Test of English as a Foreign Language (TOEFL) with a minimum score of 550 or 213 on the TOEFL computer-based test for those applicants who submit proof of denial of eligibility to sit for the CGFNS examination and who are licensed in a country other than the United States or its territories and determined by the Board educationally prepared in nursing; and

- 6) official transcripts of theory and clinical education prepared by an official of the military for a practical nurse applicant who has received practical nursing education in the military service. This education must meet the standards set forth in Section 1300.40; and

- 7) certification, on forms provided by the Department, from the jurisdiction(s) in which the applicant has ever been licensed, if applicable, stating:

- A) The time during which the applicant was licensed in that jurisdiction, including the date of original issuance of the license; and

- B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) Any applicant who fails to demonstrate fulfillment of the education requirements shall be notified in writing and must satisfy the deficiency before being granted temporary authority to practice nursing, as permitted under Section 5-154(g) or 4(i) of the Act, or being admitted to the examination. Deficiencies in nursing theory and/or clinical practice may be removed by taking the required course(s) in an approved nursing education program.

- c) When the applicant has completed the nursing education program in less than the usual length of time through advanced standing or transfer of credits from one institution to another, the Director of nursing education shall include an explanation in the certification.

- d) Credentials of education and licensure, if not in English, shall be accompanied by a certified translation.

- e) After filing the original application, any change of name must be supported by an affidavit satisfactory to the Department.

- f) If an applicant has taken and passed the National Council Licensure Examination (NCLEX) in accordance with Section 1300.25 of this Part,

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the applicant shall file an application in accordance with subsection (a) above and shall have the examination scores submitted to the Department directly from the testing entity or from the state of original licensure.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.25 The Licensure Examination

a) The Board of Nursing (the "Board") ~~committees--on--Nursing--(the "committees")~~ shall make recommendations to the Department regarding content, design and contractor for a licensure examination. A licensure examination contract shall be negotiated and approved by the Department of Professional Regulation.

b) Registered Professional Nurse Examination
1) The passing grade on the National Council Licensure Examination (NCLEX) for registered professional nurses shall be based on an ability scale designed to measure minimum professional nurse competency. A pass/fail grade will be assigned.
2) A registered professional nurse applicant who fails the examination is not eligible for licensure. If such applicant has been practicing professional nursing under Section 5-134(1) of the Act, such applicant shall discontinue such practice until a passing grade is achieved on the examination and a license has been received from the Department.

3) If the examination is not passed within three years from the date of the first examination taken, regardless of jurisdiction in which the examination was written, the applicant shall not be permitted to retake the examination until such time as the applicant has successfully recompleted the entire approved nursing education program as set forth in Section 1300.40(fh)(9) or completion of an approved remedial nursing education program or course as set forth in Section 1300.35. Upon successful completion of the approved nursing education program or remedial program or course, the applicant shall submit proof to the Department. If three years from the date of original application has lapsed, the applicant shall be required to submit a new application to the Department pursuant to Section 10-30.45 of the Act and provide evidence of meeting the requirements in force at the time of the new application.

c) Licensed Practical Nurse Examination

1) The passing grade on the National Council Licensure Examination (NCLEX) for licensed practical nurses shall be based on an ability scale designed to measure minimum licensed practical nurse competency. A pass/fail grade will be assigned.

2) A licensed practical nurse applicant who fails the examination is not eligible for licensure. If such applicant has been

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practicing as a licensed practical nurse under Section 5-154(g) of the Act, such applicant shall discontinue such practice until a passing grade has been achieved on the examination and a license has been received from the Department.

3) If the examination is not passed within three years from the date of the first examination taken, regardless of the jurisdiction in which the examination was written, the applicant shall not be permitted to retake the examination until such time as the applicant has successfully recompleted the entire approved nursing education program as set forth in Section 1300.40(fh)(10) or completion of an approved remedial licensed practical nurse education program or course as set forth in Section 1300.35. Upon successful completion of the approved nursing education program or remedial program of course, the applicant shall submit proof to the Department. If three years from the date of original application has lapsed, the applicant shall be required to submit a new application to the Department pursuant to Section 10-30.45 of the Act.

d) Eligibility for Licensed Practical Nurse Examination
Any candidate who is unable to pass the registered professional nurse examination will not be permitted to write the practical nurse examination until or unless such applicant has graduated from an approved practical nursing education program.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.27 Application for Licensure on the Basis of Examination
(Repealed)

a) Each applicant for licensure as a Registered Professional Nurse on the basis of examination must submit to the Department:

- 1) A properly completed application;
- 2) Fee as required by Section 23 of the Act;
- 3) Proof of passage of the examination conducted by the Department or its designated testing service for licensure as a Registered Professional Nurse;

b) Each applicant for licensure as a Licensed Practical Nurse on the basis of examination must submit to the Department:

- 1) A properly completed application;
- 2) Fee as required by Section 23 of the Act;
- 3) Proof of passage of the examination conducted by the Department or its designated testing service for licensure as a Licensed Practical Nurse;

(Source: Repealed at 23 Ill. Reg. _____, effective _____)

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Section 1300.30 Licensure by Endorsement

- a) Each applicant who is licensed in another jurisdiction shall file a completed, signed application for licensure on the basis of endorsement, on forms supplied by the Department. The application shall include:

- 1) the required fee in Section 1300.15 of this Part 23(e)-(f)-the Act;
- 2) proof of graduation from a nursing education program that meets the requirements of Section 1300.40;
- 3) proof of passage of an examination recognized by the Department, upon recommendation of the Board of Examiners (i.e., National Council Licensure Examination for Professional Nurses or Practical Nurses, or State Board Test Pool Examination for professional nurses or practical nurses);
- 4) a complete work history since graduation from a practical nurse education program or a professional nurse education program, whichever came first;
- 5) for registered nurse applicants who received education outside of the United States:
 - A) proof of passage of the Commission on Graduates of Foreign Nursing Schools (CGFNS) Examination for all persons licensed in their original jurisdictions subsequent to January 1, 1984, who completed their nursing education program in a country other than the United States or its territories. An applicant shall be exempt from taking the CGFNS examination if the applicant:
 - i) has passed the examination authorized by the Department as set forth in Section 1300.25;
 - ii) holds an active, unencumbered license in another state; and
 - iii) has been actively practicing for a minimum of 2 years in the other state.

Applicants who are exempt from taking the CGFNS examination shall submit a copy of the evaluation (the Nursing and Science Course Report) of nursing education credentials submitted by a Department approved nursing credentialing evaluation service. The Department has determined, upon recommendation of the Board of Examiners, that the Commission on Graduates of Foreign Nursing Schools is an approved evaluation service;

- B) proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 or 213 on the TOEFL computer based test is required of those applicants who submit proof of denial of eligibility to sit for the CGFNS examination and who are licensed in a country other than the United States or its territories if determined educationally prepared in nursing;

B) proof of passage of the Test of English as a Foreign Language (TOEFL) with a score of 550 or 213 on the TOEFL computer based test is required of those applicants who submit proof of denial of eligibility to sit for the CGFNS examination and who are licensed in a country other than the United States or its territories if determined educationally prepared in nursing;

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- 6) official transcripts of theory and clinical education prepared by an official of the military for a practical nurse applicant who has received his/her education in the military service. Education must meet the standards for education as set forth in Section 1300.40;
- 7) verification of licensure status from all jurisdictions states in which licensure has ever been granted that includes active practice in another jurisdiction within the last 5 years and verification of licensure status from the foreign jurisdiction in which the applicant has most recently practiced; and
- 8) a certified translation for all credentials of education and licensure, if not in English.

b) After filing the original application, any change of name must be supported by an affidavit satisfactory to the Department.

c) Deficiencies in nursing theory and/or clinical practice may be removed by taking the required course(s) in an approved nursing education program.

d) Each applicant for licensure by endorsement who, in connection with his/her original registration, was not tested on subject matter substantially equivalent to that required of Illinois nurses at such time, shall be required to take and pass before a license will be issued by the Department, that subject matter not previously taken and passed.

e) Compliance with the provisions of Section Sections 1300.25(b)(3) and 1300.25(c)(3) for each registered professional nurse applicant and each practical nurse applicant, respectively, shall be a requirement for Illinois nurse licensure by endorsement.

ef) Eligibility for Practical Nurse Endorsement:

A candidate who is unable to pass the registered professional nurse examination in another jurisdiction and is allowed to write the practical nurse examination in that jurisdiction and is subsequently licensed as a practical nurse in that jurisdiction is not eligible for endorsement in Illinois unless and until such candidate has graduated from an approved practical nursing education program.

g) Sections of examinations passed in more than one State Prior to the implementation of the Single Score Examination: The Department will grant an Illinois license as a registered professional nurse to an individual who has been licensed in another state and who is otherwise qualified for licensure in Illinois, whether or not all areas of the licensure examination were written in the same jurisdiction, if said examination(s) were written subsequent to February 17, 1976, if said examinations were written prior to February 17, 1976, the Department will review the individual's case to determine substantial equivalence under subsection (d) above.

h) Individuals applying for licensure by endorsement may apply to the Department, on forms provided by the Department, to receive a Temporary Endorsement Permit pursuant to Section 10-40 (a)(7) of the Act. Such permit shall allow the applicant to work pending the

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- of theory for licensed practical nurse applicants;
- D) Use of a medical/surgical nursing text currently used in basic nursing education programs;
 - E) A means for demonstrating achievement of objectives.
- 2) The clinical practice component shall be sponsored by a nursing education program. The clinical practice experience shall include the following minimum components:
 - A) Assessment of skill learning needs, arranged by the applicant with the nursing education program prior to assignment to a unit of the institution;
 - B) Mastery of the registered nurse or practical nurse minimal skills set forth in Appendix A and C of this Part ~~list provided by the Department~~;
 - C) Clinical practice component of at least 96 contact hours for registered nurse applicants and 64 contact hours for licensed practical nurse applicants that includes the clinical practice experience set forth in Appendix B and D of this Part ~~noted on the Department's minimal assignment list~~; and
 - D) Identification of a faculty member or registered nurse preceptor.
 - e) Registered nurse or licensed practical nurse applicants, taking a self-study course approved by another state board, shall have the course approved by the Department in order for the course to be accepted. The clinical practice component of the course must be provided by an Illinois health care delivery institution and must incorporate the Department's minimal requirements for the clinical practice component. The nurse taking the course must make arrangements with the health care delivery institution for the clinical practice component and identification of a registered nurse preceptor.
 - f) Individuals may request a review, by the Board of Nursing, of any other pertinent documents or training that are not set forth in this Section for approval as meeting these requirements.
- (Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.40 Approval of Programs

- a) Program Approval
 - 1) Institutions desiring to establish a new nursing program that would lead to meeting requirements for licensure or change the level of educational preparation of the program or establish an extension of an existing program shall:
 - 1) Submit a letter of intent to the Department.
 - 2) Provide a feasibility study to the Department, on forms provided by the Department, which includes, at least, documentation of:

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- A) Need for the program in the community;
 - B) Need for graduates of the proposed program;
 - C) Availability of students;
 - D) Impact on existing nursing programs in a 50 mile radius of the proposed program;
 - E) Potential for qualified faculty;
 - F) Adequacy of clinical practicum and academic resources;
 - G) Financial commitment to support the initial and continuing program;
 - H) Community support of the scope and philosophy of the program;
 - I) Authorization by the appropriate education agency of the State of Illinois; and
 - J) A timetable for development of the program and the intended date of the first class beginning.
- 3) Identify a qualified nurse administrator with a minimum of a master's degree in nursing and with experience as a nurse educator.
 - 4) Submit 15 copies of curriculum proposal including:
 - A) Program philosophy and objectives;
 - B) A plan of organization that is logical and internally consistent;
 - C) Proposed plans of study including requisite and elective courses with rationale;
 - D) Course outlines or syllabi for all nursing courses;
 - E) Student handbook;
 - F) Faculty qualifications;
 - G) Instructional approaches to be employed;
 - H) Evaluation plans for faculty and students; and
 - I) Facilities and utilization plan.
- A site visit will be conducted by the Department prior to the program being approved.
- b) Continued Program Approval
 - 1) Nursing education programs shall submit annual evaluation reports to the Department on forms provided by the Department. These reports shall contain information regarding curriculum, faculty and students and other information as deemed appropriate by the Department.
 - 2) Full routine site visits shall be conducted by the Department for periodic evaluation. The visits will be utilized to determine compliance with the Act. Full routine site visits shall be announced. Unannounced site visits may be conducted when the Department obtains evidence that would indicate the program is not in compliance with the Act or this Part.
 - 3) A pass rate of graduates on the National Council Licensing Examination (NCLEX) shall be included in the annual evaluation of nursing education programs.
 - A) A pass rate of 75% of first time writers will be required

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for a school to remain in good standing.

- B) A nursing education program having an annual pass rate of less than 75% of first time writers for one year will receive a written warning of noncompliance from the Department.
- C) A nursing education program having an annual pass rate of less than 75% of first time writers for 2 consecutive years will receive a site visit for evaluation and recommendation by the Department and will be placed on probation for program revision in accordance with 68 Ill. Adm. Code 1110. The nursing education program shall have 2 years to demonstrate evidence of implementing strategies to correct deficiencies and bring the pass rate in line with the 75% criteria.
- E) If 2 years after implementing of the strategies to correct deficiencies in the program the annual pass rate is less than 75%, the program will be reevaluated. The program will be allowed to continue to operate on a probationary status or will be disapproved and removed from the list of Illinois approved nursing programs in accordance with 68 Ill. Adm. Code 1110.
- c) Major Curricular Revision
Nursing education programs desiring to make a major curricular revision: addition or deletion of content; a substantive change in philosophy or conceptual framework; or length of program shall:
 - 1) Submit a letter of intent to the Department; and
 - 2) Submit 15 copies of the proposed changes and new material to the Department, at least one term prior to implementation, for Board Committee recommendation and Department approval in accordance with the standards set forth in subsection (f).
- d) Minor Curricular Revisions
Nursing education programs desiring to make curricular revisions involving reorganization of current course content but not constituting a major curriculum revision shall submit the proposed changes to the Department in their annual report.
- e) Organization and Administration
 - 1) An institution responsible for conducting a nursing education program shall be authorized by the appropriate agency of the State of Illinois (e.g., Illinois Board of Higher Education, State Board of Education, Illinois Community College Board);
 - 2) The relationship of the nursing education program to other units within the sponsoring institution shall be clearly delineated with organizational charts on file with the Department;
 - 3) Nursing education programs shall have clearly defined lines of authority, responsibility and communication;
 - 4) Student input into determination of academic policies and procedures, curriculum planning and evaluation of faculty effectiveness shall be assured as evidenced by information such

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- as student membership on policy and evaluation committees, policy statements and evaluation procedures;
- 5) Nursing education program policies and procedures shall be in written form, congruent with those of the sponsoring institution, and shall be reviewed by members of the program on a regular schedule;
 - 6) The philosophy, purpose, and objectives of the nursing education program shall be stated in writing and shall be consistent with the sponsoring institution and current social, nursing and educational trends and the Act.
 - f) Curriculum and Instruction
 - 1) The curriculum shall be based upon the stated program purpose, philosophy and objectives;
 - 2) Levels of progression in relation to the stated program objectives shall be established;
 - 3) Coordinated clinical and theoretical learning experiences shall be consistent with the program objectives;
 - 4) Curricular content shall reflect contemporary nursing practice encompassing major health needs of all age groups;
 - 5) The entire curriculum shall be based on sound nursing, education and instructional principles;
 - 6) The curriculum may include a Nursing Student Internship/Cooperative Education Course that meets the following minimum requirements:
 - A) Must be course available with nursing major and identified on transcript.
 - B) Faculty must meet approved nursing education program qualifications and hold faculty status with educational unit.
 - C) Clinical content must be coordinated with theoretical content.
 - D) Clinical experience must be under direct supervision of a qualified faculty as set forth in subsection (g) or with a registered nurse preceptor. The nurse preceptor shall be approved by the program and shall work under the direction of a nurse faculty member.
 - E) Students shall not be permitted to practice beyond educational preparation or without faculty supervision.
 - F) Course shall be based on program purpose, philosophy, objectives and framework.
 - G) Course evaluation shall be consistent with plan for program evaluation.
 - H) Articles of affiliation shall clearly delineate student, educational institution and health care agency roles and responsibilities;
 - 7) The curriculum shall be evaluated by faculty with student input according to a stated plan;
 - 8) The program shall be approved by the appropriate educational

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agency:

- 9) Curriculum for professional nursing programs shall:
- Include, at a minimum, concepts in anatomy, physiology, chemistry, physics, microbiology, sociology, psychology, communications, growth and development, interpersonal relationships, group dynamics, cultural diversity, pharmacology and the administration of medication, nutrition and diet therapy, patho-physiology, ethics, nursing history, trends and theories, professional and legal aspects of nursing, leadership and management in nursing, and teaching-learning theory;
 - Not preclude a flexible curriculum that would provide appropriate integration of the nursing subject matters;
 - Provide theoretical and clinical instruction in all areas of nursing practice in the promotion, prevention, restoration, and maintenance of health in individuals and groups across the life span and in a variety of clinical settings which encompasses attainment and maintenance of optimum physical and mental health and prevention of illness for individuals and groups throughout the life cycle;
 - Incorporate the nursing process as an integral part of the curriculum;
 - Prepare the student to assume beginning level professional nursing positions;
 - Be at least 2 academic years in length.
- 10) Curriculum for the practical nursing programs shall:
- Include, at a minimum, basic concepts of anatomy, physiology, chemistry, microbiology, physics, communications, growth and development, interpersonal relationships, psychology sociology, cultural diversity, pharmacology (pharmacology course standards are set forth in Section 1300.44), nutrition and diet therapy, vocational, legal and ethical aspects of nursing;
 - Not preclude a flexible curriculum that would provide appropriate integration of the nursing subject areas;
 - Provide basic theoretical and clinical instruction in all areas of nursing practice in the promotion, prevention, restoration, and maintenance of health in individuals and groups across the life span and in a variety of clinical settings which encompasses the attainment and maintenance of physical and mental health and the prevention of illness for individuals and groups throughout the life cycle;
 - Incorporate the nursing process as an integral part of the curriculum;
 - Prepare the student to assume entry level practical nursing positions to assist clients with normal and common health problems through use of basic nursing skills;
 - Be at least one academic year in length; and

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- If a military program, consist of a minimum of 36 to 40 weeks of theory and clinical instruction incorporating the curriculum as outlined in subsection(f)(10)(A).
- 9) Faculty
- The institution responsible for conducting the nursing program and the Nurse Administrator of the nursing education program shall be responsible for ensuring that the individual faculty members are academically and professionally qualified.
 - Nursing education programs shall be administered by the Nurse Administrator of the nursing education program.
 - The Nurse Administrator and faculty of a nursing education program shall be currently licensed as registered professional nurses in Illinois.
 - The Nurse Administrator of a nursing education program shall have at least:
 - 2 years experience in clinical nursing practice;
 - 2 years of experience as an instructor in a nursing education program; and
 - a master's degree or higher with a major in nursing.
 - Nurse faculty of a professional nursing program shall have:
 - At least 2 years experience in clinical nursing practice;
 - A master's degree or higher with a major in nursing. ~~an individual with a bachelor's degree with a major in nursing and a master's degree in a related area other than nursing and who has at least 10 years experience as a faculty member in a State approved professional nursing program may request a variance of the Rule.~~
- ~~No more than 15% of the total program nurse faculty may be employed in a nursing education program without a master's degree with a major in nursing.~~
- Nurse faculty of a practical nursing program shall have:
 - At least 2 years experience in clinical nursing practice; and
 - A baccalaureate degree or higher with a major in nursing.
 - The requirements of subsections (g)(4), (5) and (6) above shall not affect incumbents as of the original date these requirements were adopted, January 14, 1980.
 - Nurse Administrators of nursing education programs shall be responsible for:
 - Administration of the nursing education program;
 - Liaison with other units of the sponsoring institution;
 - Preparation and administration of the budget;
 - Facilitation of faculty development and performance review;
 - Facilitation and coordination of activities related to academic policies, personnel policies, curriculum, resource facilities and services, and program evaluation.
 - Notification to the Department of program changes.
 - Faculty shall be responsible for:

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- A) Development, implementation and evaluation of the purpose, philosophy and objectives of the nursing education program;
 - B) Design, implementation and evaluation of curriculum for the nursing education program;
 - C) Participation in academic advising of students;
 - D) Development and evaluation of student policies; and
 - E) Evaluation of student performance in meeting the objectives of the program.
- 10) Faculty shall participate in:
- A) Selection, promotion and tenure activities;
 - B) Academic activities of the institution;
 - C) Professional and health related community activities;
 - D) Self-development activities for professional and personal growth; and
 - E) Research and other scholarly activities for which qualified, and
- E) Activities that maintain educational and clinical expertise in areas of teaching.
- 11) Clinical experience must be under direct supervision of qualified faculty as set forth in this subsection (g) or with a registered nurse preceptor. The nurse preceptor shall be approved by the parent institution and shall work under the direction of a nurse faculty member.
- 12) The ratio of students to faculty in the clinical area shall be appropriate to the clinical learning experience:
- A) When under direct supervision of the faculty, ⁷the ratio shall not exceed 10 to 1.
 - B) When a registered nurse preceptor is used, the ratio of students to faculty member shall not exceed 12 to 1.
- h) Financial Support, Facilities, Records
- 1) Adequate financial support for the nursing education program, faculty and other necessary personnel, equipment, supplies and services shall be in evidence in the program budget.
 - 2) The faculty of the nursing education program and the staff of cooperating agencies used as sites for additional theory and clinical experience shall work together for quality of patient care.
- 3) Articles of Affiliation
- A) The nursing education program shall have Articles of Affiliation between the nursing education program and each clinical facility which define the rights and responsibilities of each party, including agreements on the role and authority of the governing bodies of both the clinical site and the nursing education program.
 - B) If portions of the required clinical or theoretical curriculum are offered at different geographical sites or by distance learning, the curriculum must be planned, supervised, administered and evaluated in concert with

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- appropriate faculty committees, department chairmen and administrative officers of the parent school.
- 4) There shall be adequate facilities for the nursing program for both academic and clinical experiences for students.
 - 5) There shall be access to learning resource facilities including library and multi-media technology library--facilities that are reasonably sufficient for the curriculum and the number of students enrolled in the nursing education programs.
 - 6) Cooperating agencies shall be identified to the Department and shall be suitable to meet the objectives of the program.
 - 7) Addition or deletion of cooperating agencies shall be reported in writing to the Department on the program annual report no later than--30--days--after--the--entrance--into--a--contract--or--upon cancellation--of--a--contract.
 - 8) The nursing program's policies and procedures shall not violate constitutional rights and shall be written and available to faculty and students.
 - 9) Permanent student records that summarize admissions, credentials, grades and other records of performance shall be maintained by the program.
- i) Faculty Variance
- 1) The nursing program may request a variance for a faculty member who has not received a master's degree if:
 - A) the faculty member is within one-year of completion of the master's in nursing;
 - B) the faculty member is continuously enrolled in the master's in nursing program;
 - C) a plan exists for the timely completion of the master's program; and
 - D) no other faculty members are teaching with a current variance.
 - 2) The Board of Nursing will consider each request for a variance and if a variance is granted the nursing program shall be placed on probation until the faculty member has completed the master's degree. A variance will be granted for one year and consecutive variances will not be granted to any program.
- j) Discontinuance of a Nursing Program
- 1) A nursing education program shall:
 - A) Notify the Department, in writing, of its intent to discontinue its program;
 - B) Continue to meet the requirements of the Act and this Part until the official date of termination of the program;
 - C) Notify the Department of the date on which the last student will graduate and the program terminate; and
 - D) Assume responsibility for assisting students to continue their education in the event of closing of the school prior to the final student graduating.
 - 2) Upon closure of the nursing education program, the institution

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shall notify the Department, in writing, of the location of student and graduate records storage.

k) Disapproval of a program
 1) The following are grounds for disapproval of a nursing education program:

- A) A violation of any provision of the Act;
 - B) Fraud or dishonesty in applying for approval of a nursing education program;
 - C) Failure to continue to meet criteria of an approved nursing education program as set forth in this section; or
 - D) Failure to comply with recommendations made by the Department as a result of a site visit.
- 2) Upon written notification of the Department's proposed action, the nursing education program may:
- A) Submit a written response;
 - B) Request a hearing hearing before the Board Committee.

l) Out-of-state Education Programs Seeking Student Nurse Clinical Placement in Illinois

- 1) Out-of-state nursing education programs offering clinical experiences in Illinois are expected to maintain the standards for approved nursing education programs set forth in this Section.

2) Programs desiring to seek approval for student nurse clinical placement in Illinois shall submit the following documents:

- A) Evidence of approval/accreditation by the Board of Nursing or other appropriate approval bodies in the state in which the institution is located.
 - B) A letter requesting approval to provide the clinical offering that indicates the time-frame during which the clinical experience will be conducted, the clinical agency(ies) and the clinical unit(s) to be utilized.
 - C) A course syllabus for the clinical experience(s) to be offered that specifies the related objectives of the offering.
 - D) A copy of the executed contractual agreement between the academic institution and the clinical facility.
 - E) A faculty qualification and/or preceptor form for individuals providing instruction in Illinois.
- 3) Faculty**
- A) The institution responsible for conducting the nursing program and the administrator of the nursing education program shall be responsible for ensuring that the individual faculty members are academically and professionally qualified.
 - B) Nurse faculty of a professional nursing program shall have:
 - i) at least 2 years experience in clinical nursing practice; and
 - ii) a master's degree or higher with a major in nursing.

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- C) Nurse faculty of a practical nursing program shall have:
 - i) at least 2 years experience in clinical nursing practice; and
 - ii) a baccalaureate degree or higher with a major in nursing.
- D) The faculty shall be currently licensed as registered professional nurses in Illinois.
- E) Clinical experience must be under direct supervision of qualified faculty as set forth in subsection (g) or with a registered nurse preceptor. The nurse preceptor shall be approved by the parent institution and shall work under the direction of a nurse faculty member.
- F) The ratio of students to faculty in the clinical area shall be appropriate to the clinical learning experience.

- 1) When under direct supervision of the faculty, the ratio shall not exceed 10 to 1.

- ii) When a registered nurse preceptor is used, the ratio of students to faculty member shall not exceed 12 to 1.

- 4) Approval for clinical offerings by out-of-state nursing programs shall be approved for a period of two years. A program representative may request renewal of the approval every two years. In order to renew, the program shall submit a written report that provides updated and current data as required by this subsection (1).

- 5) A written report of current clinical offerings and current data shall be submitted to the Department annually. Faculty qualification and preceptor forms shall be submitted when instructors are added or changed.

- 6) Failure to comply with the requirements set forth in this Part shall result in the immediate withdrawal of approval of the clinical experience offering.

- m) If the name of the program or the institution in which the program is located or with which it is affiliated changes its name, the program shall notify the Department within 30 days of such name change. If the Department is not notified within the 30 days, the program's approval may be withdrawn.

(Source: Amended at 23 Ill. Reg. _____, effective _____.)

Section 1300.41 Approval of Current Nursing Practice Update Course

- a) A current nursing practice update course (the "course") is a planned educational offering which provides an updating of content specifically designed for registered and/or practical nurses preparing to re-enter nursing practice.
- b) To be approved by the Department a course shall meet the following

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minimum requirements:

- 1) The sponsoring institution must have access to adequate facilities and resources to implement both the required theoretical and clinical components of the course.
- 2) The course shall be conducted by:
 - A) a coordinator with a baccalaureate major in nursing and two years of current clinical experience in nursing practice;
 - B) faculty with 2 years of current clinical experience in nursing who have demonstrated competency in teaching/learning. This experience may be either from academics or work experience (i.e., coursework, staff development, nursing faculty of an approved nursing program).
- 3) The course must be based on clearly stated objectives which are realistic for the time allotted in the course, appropriate for the course content, and includes both theoretical and clinical practice expectations.
- 4) The nursing content shall provide information on the Act and this Part, the American Nurses' Association (ANA) Standards of Practice, the ANA Code of Ethics, current opportunities for nursing practice, and current climate for practice, and nursing process.
- 5) Course content must be based on current nursing care concepts and skills relevant to the audience for which it is intended, registered nurse or licensed practical nurse.
- 6) The course shall include both planned and supervised clinical experiences and theoretical content consistent with the stated course objectives.
- 7) The theory component for registered nurses shall be at least 48 contact hours and for licensed practical nurses at least 32 contact hours.
- 8) The clinical component for registered nurses shall be at least 96 contact hours and for licensed practical nurses at least 64 contact hours.
- c) Any institution desiring to have its course(s) approved by the Department shall file with the Department at least twelve weeks prior to anticipated implementation 15 to 20 copies of all relevant information bearing on its compliance with the above criteria plus the following:
 - 1) The name of the sponsoring institution;
 - 2) The name of the designated course coordinator responsible for the course and a brief summary of the individual's qualifications;
 - 3) A list of the members of the educational staff, their qualifications for teaching the course(s) and their responsibilities.
- d) The Board Committee shall evaluate the submitted materials at its next regularly scheduled meeting, at which time the course coordinator from the applying sponsoring institution may make an oral presentation. The Board Committee shall make a recommendation to the Director for

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approval or disapproval and the Department will notify the sponsoring institution of its decision.
 e) The course shall be reevaluated every five three years.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.42 Standards of Professional Conduct for Registered Professional Nurses

The Registered Professional Nurse shall:

- a) Practice in accordance with the Act and this Part;
- b) Uphold federal and State state regulations regarding controlled substances and alcohol;
- c) Practice nursing only when in functional physical and mental health;
- d) Be accountable for own nursing actions and competencies;
- e) Practice or offer to practice only within the scope permitted by law and within the licensee's own educational preparation and competencies.
- f) Seek instruction and supervision from qualified individuals when implementing new or unfamiliar nursing activities;
- g) Delegate tasks only to individuals whom the licensee knows or has reason to know are competent qualified by education or experience to perform those tasks;
- h) Delegate professional responsibilities only to individuals whom the licensee knows or has reason to know are licensed to perform;
- i) Be accountable for the quality of nursing care delegated to others;
- j) Report unsafe, unethical, or illegal health care practices or conditions to appropriate authorities;
- k) Maintain--a functional--level-of-practice-consistent-with-education-and-experiential--background--and--in--accordance--with--professional-responsibilities--and
- k1) Assume responsibility for continued professional and personal growth and education to reflect knowledge and understanding of current nursing care practice.
- l) Violations of this Section may result in discipline for ~~dishonorable~~ unethical-or-unprofessional-conduct as specified in Section 10-45 25(b) of the Act. All disciplinary hearings shall be conducted in accordance with 68 Ill. Adm. Code 1110.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.43 Standards of Professional Conduct for Licensed Practical Nurses

The Licensed Practical Nurse shall:

- a) Practice in accordance with the ~~Illinois~~ Nursing and Advanced Practice

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- Nursing Act and this Part Rules;
- b) Uphold federal and State state regulations regarding controlled substances and alcohol;
 - c) Practice nursing only when in functional physical and mental health;
 - d) Be accountable for own nursing actions and competencies;
 - e) Practice or offer to practice only within the scope permitted by law and within the licensee's own educational preparation and competencies ~~perform-only-those-nursing-activities-within-the-scope-permitted-by-law-and-for-which-educationally-prepared~~;
 - f) Perform nursing actions only under direction except as stated in the ~~Illinois-Nursing Act~~ in the event of an emergency in which an individual's life or health are in imminent danger;
 - g) Seek instruction and supervision from qualified individuals when implementing new or unfamiliar nursing activities;
 - h) Report unsafe, unethical and illegal health care practice or conditions to appropriate authorities;
 - i) Assume responsibility for continued professional growth and education to reflect knowledge and understanding of current nursing care practice;
 - j) Violation(s) of this Section may result in discipline ~~for dishonest, unethical or unprofessional conduct as specified in Section 10-45.15-46 of the Act (111-Rev-Stat-1983-ch-111-par-3420-4677)~~. All disciplinary hearings shall be conducted in accordance with 65 Ill. Adm. Code 110.

(Source: Amended at '23 Ill. Reg. _____, effective _____)

Section 1300.44 Standards for Pharmacology/Administration of Medication Course for Practical Nurses

- a) Approved licensed practical nursing programs shall include a course designed to educate practical nursing students and/or licensed practical nurses to administer medications via oral, topical, subcutaneous, intradermal and intramuscular routes ~~under the direction of a registered professional nurse, licensed physician, or licensed dentist which contains the following minimum components:~~
 - 1) Prerequisites
 - A) Basic computational math and high school algebra with proficiency in the following concepts, including but not limited to, ratios and proportions and metric, apothecary and household measurements as documented via examination and/or coursework completed.
 - B) Basic scientific knowledge including, but not limited to, microbiology/sepsis and anatomy and physiology with a basic understanding of fluid and electrolytes, the inflammatory response, the immune response, and body systems as documented via examination or coursework.

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- 2) Pharmacology
 - A) An introduction to pharmacology including the areas of:
 - i) Terminology and abbreviations
 - ii) Federal and State state laws related to pharmacology (e.g., Illinois Controlled Substances Act 7 [220 ILCS 570], 111-Rev-Stat-1987-ch-56-172---par-1190-1663; federal Food, Drug and Cosmetic Act 7 [21 USC 681c-360])
 - iii) Drug standards and references (i.e., United States Pharmacopeia/National Formulary)
 - iv) Generic versus brand name drugs
 - v) Misuse/abuse of drugs
 - vi) ~~Illinois-Controlled-Substances-Act-(111-Rev-Stat-1987-ch-56-172-par-1190-1663)~~ (with commonly used examples) including:
 - i) Action/Physiological effect
 - ii) Interactions
 - iii) Side effects and contraindications
 - iv) Dosages and routes
 - v) Nursing implications (including legal implications)
 - B) Administration of Medication
 - A) Following procedures of safety as described in subsections (a)(3)(C), (a)(3)(D), (a)(3)(E), and (a)(3)(F) in administering medications.
 - B) Developmental adaptations for administering medications to patients of all ages.
 - C) Assessment of patient condition.
 - D) Planning for administration of medication including:
 - i) Checking for doctor's order
 - ii) Securing proper equipment
 - iii) Verifying proper packaging of medication
 - E) Implementation of administration of medication including:
 - i) Site selection
 - ii) Verifying route of administration
 - iii) Administering the medication
 - iv) Recording medication administration
 - v) Patient education for compliance
 - F) Evaluation of patient response including:
 - i) Effects/side effects/allergic responses
 - ii) Recording/reporting of effects
- b) These requirements shall not preclude a flexible curriculum that would provide appropriate integration into other practical nursing courses.
- c) The course/instruction shall include at least 32 hours of theory and 64 hours of lab and clinical with administration of medication to patients performed under direct supervision of qualified faculty as set forth in subsection (d) of this Section ~~1300-44(f)~~.
- d) Nurse faculty of pharmacology and administration of medication courses

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shall have:

- 1) At least two years experience in clinical nursing practice;
 - 2) A baccalaureate degree with a major in nursing;
 - 3) A current Illinois Registered Professional Nurse license.
- e) Approved licensed practical nursing programs shall include a course designed to educate practical nurses in nursing practice. Licensed practical nurses may be educated to perform the following activities related to intravenous therapy under the supervision of a registered professional nurse, licensed physician, or licensed dentist:
- 1) Monitoring the flow rate of existing intravenous lines.
 - 2) Regulating peripheral fluid infusion rates.
 - 3) Observing sites for local reaction and reporting results to the registered nurse.
 - 4) Discontinuing intravenous therapy with an order from a physician.
 - 5) Adding non-medicated solutions to existing patent lines.
 - 6) Changing peripheral intravenous tubings and dressings.
 - 7) Monitoring existing transfusions of blood and blood components.
 - 8) Documenting intravenous procedures performed and observations made.
 - 9) This course is not designed to prepare the licensed practical nurse to:
 - A) Start intravenous therapy.
 - B) Administer chemotherapeutic agents via intravenous routes.
 - C) Start or add blood or blood components.
 - D) Administer medications via intravenous push.
 - E) Add medication to existing intravenous infusions, including heparin in heparin locks.

Practical nursing programs have until August 2020 to add a pharmacology course to their curriculum.

(Source: Amended at 23 Ill. Reg. _____, effective _____.)

Section 1300.48 Restoration

- a) A licensee seeking restoration of a license that has expired for less than five (5) years or less shall have the license restored upon payment of the fees required by Section 1300.15 of this Part 2347-of-the-Act.
- b) A licensee seeking restoration of a license that has been placed on inactive status for less than five (5) years or less shall have the license restored upon payment of the current renewal restoration fee set forth in Section 1300.15(b) of this Part.
- c) A licensee seeking restoration of a license after it has expired or been placed on inactive status for more than five (5) years shall file an application, on forms supplied by the Department, together with the restoration fee(s) specified in Section 1300.15(c)(1) of this Part.

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when restoring an expired license, or the current renewal fee set forth in Section 1300.15(b), when restoring an inactive license the fee--required-by--Section--2347-of-the-Act. The licensee shall also submit proof of fitness to practice, which includes one of the following:

- 1) Certification of active practice in another jurisdiction. Such certification shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice; or
- 2) An affidavit attesting to military service as provided in Section 20-10 #7 of the Act. If application is made within 2 years after discharge, and if all other provisions of Section 20-10 of the Act are satisfied, the applicant will be required to pay the current renewal fee; or
- 3) Proof of successful completion of a current nursing practice update course, which shall include evaluated clinical experience, approved by the Department, as specified in Section 1300.41 of this Part; or
- 4) Proof of satisfactory completion of a medical-surgical nursing theory and clinical course in a nursing education program as defined in Section 1300.40 of this Part for practical or registered nurse licensure, consistent with the license which the individual is seeking to restore; or
- 5) Proof of satisfactory completion of a course that includes:
 - A) A self-study nursing theoretical component that is:
 - i) Approved by another state nursing licensing authority and includes medical-surgical nursing across the life span and consists of a minimum of 36 hours for practical nurses or 48 hours for registered nurses; or
 - ii) Approved by the Department and contains assessment of theoretical and skill learning needs, a plan for content with objectives and a plan for documentation of successful completion; and
 - B) A clinical practice component that includes:
 - i) Sponsorship by a health care delivery institution or nursing education program that meets the requirements set forth in Section 1300.41 of this Part;
 - ii) A minimum 96 hours for registered nurses and 64 hours for practical nurses of supervised patient care with progressive activities;
 - iii) Completion of the minimal skills list provided by the Department; and
 - iv) Identification of a registered nurse preceptor.

d) All restoration applicants shall demonstrate knowledge of the--current Illinois-Nursing-Act-and-Rules.

4) Individuals applying for licensure by restoration may apply to the Department, on forms provided by the Department, to receive a

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Temporary Restoration Permit--pursuant to--to--Pr--97-1156--effective January--31--1999. Such permit shall allow the applicant to work pending the issuance of a license by restoration.

1) The temporary restoration permit application shall include:

- A) A completed signed restoration application, along with the required restoration license fee as set forth in Section 1300.15 of this Part 94(d)-of--the--Act. All supporting documents shall be submitted to the Department before a permanent license by restoration shall be issued;

B) Either:

- i) Photostatic copies of all current active nursing licenses and/or temporary permits/licenses from other jurisdictions (current active licensure in at least one United States jurisdiction is required); or
- ii) Verification/confirmation of employment in nursing practice within the last 5 years in a United States jurisdiction; and

C) The temporary restoration permit fee as required in Section 1300.15 of this Part 94(b)(4)-of--the--Act.

2) The Department shall issue a temporary restoration permit no later than 14 days after receipt of a completed application as set forth in subsection (d)(1) above.

3) Temporary permits shall be terminated upon:

- A) The issuance of a permanent license by restoration;
- B) Failure to complete the application process within six (6) months from the date of issuance of the permit;
- C) A finding by the Department that the applicant has been convicted of any crime under the laws of any jurisdiction of the United States which is a:

- i) Felony; or
- ii) Misdemeanor directly related to the practice of nursing within the last 5 years;
- D) A finding by the Department that the applicant has had a license or permit related to the practice of nursing revoked, suspended or placed on probation by another jurisdiction, if at least one of the grounds is substantially equivalent to grounds in Illinois, within the last 5 years; or

E) The Department shall notify the applicant by certified or registered mail of the intent to deny licensure pursuant to subsection (d)(3)(C) and (D) above and/or Section 10-45.25 of the Act.

4) A temporary permit shall be extended beyond the 3-month 6-month period, upon recommendation of the Board and approval of the Director, due to hardship as defined below:

- A) Serving full-time in the Armed Forces;
- B) An incapacitating illness as documented by a currently licensed physician;

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C) Death of an immediate family member; or

D) Extenuating circumstances beyond the applicant's control as approved by the Director.

e)f) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee will be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an oral interview before the Board Committee to explain such relevance or sufficiency, clarify information, or clean up any discrepancies or conflicts in information. Upon recommendation of the Board Committee and approval by the Department, an applicant shall have the license restored.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.50 Granting Variances

a) The Director may grant variances from this Part these--rules in individual cases where he or she finds that:

- 1) the provision from which the variance is granted is not statutorily mandated;
- 2) no party will be injured by the granting of the variance; and
- 3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Board of Nursing Committee-of-Nurse Examiners of the granting of such variance, and the reasons therefor, at the next meeting of the Board Committee.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.60 Practice of Nursing

a) Purpose of Standards-

- 1) To establish minimal acceptable levels of safe practice by the Registered Nurses and Licensed Practical Nurses.
- 2) To serve as a guide for the Board Committee to evaluate nursing care to determine if it is safe and effective and within the appropriate scope of practice.

b) Standards Related to the Registered Nurse's Responsibility to Implement the Nursing Process-
It is not always possible to document complete information in all areas listed below on each patient. However, nurses should be held accountable for the thorough data collection within the constraints of available information. The Registered Nurse shall:

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- 1) Conduct and document nursing assessments of the health status of individuals and groups.
 - 2) Establish and document nursing problems which serve as the basis for the nursing plan.
 - 3) Develop the nursing plan based on assessment and nursing problem identification. This includes:
 - A) Identifying priorities in the nursing plan.
 - B) Setting realistic and measurable goals.
 - C) Prescribing nursing intervention(s).
 - 4) Implement the nursing plan through giving and delegating direct care.
 - 5) Evaluate the responses of individuals or groups to nursing interventions and redirect the care plan on the evaluation findings.
 - 6) Communicate evaluation data to appropriate members of the health care team.
- c) Standards related to the Licensed Practical Nurse's contribution to the responsibility for the nursing process:
The licensed practical nurse under the direction or supervision of a registered nurse, licensed physician, dentist, or podiatrist shall:
- 1) Participate in assessment by observing, collection, recording and reporting:
 - A) Objective and subjective data in an accurate and timely manner;
 - B) The condition and/or change in condition of the patient; and
 - C) Signs and symptoms of deviation from normal health status.
 - 2) Assist in developing the nursing care plan.
 - 3) Assist in the implementation of nursing care:
 - A) Within the concepts included in the practical nursing curriculum as set forth in Section 1300.40(f) of this Part;
 - B) With consideration for safety in practice;
 - C) According to established priorities of needs; and
 - D) Documenting and communicating nursing interventions and responses to care.
 - 4) Assist in evaluating patient responses:
 - A) Document and communicate evaluation data to appropriate members of the health care team.
 - B) Contribute to the modification of the nursing plan on the basis of the evaluation.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1300.65 Unethical or Unprofessional Conduct in Nursing Practice

- a) The Department may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action based upon its findings of "unethical or unprofessional conduct" within the meaning

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of Section 10-45 of the Act, which is interpreted to include, but is not limited to, the following acts or practices:

- 1) Engaging in conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient. Actual injury need not be established.
- 2) A departure from or failure to conform to the standards of professional or practical nursing as set forth in the Act or this Part, or any nursing practice that may create unnecessary danger to a patient's life, health or safety. Actual injury to a patient need not be established.
- 3) Engaging in behavior that crosses professional boundaries (such as signing wills or other documents not related to client health care or engaging in social relationships with clients).
- 4) Engaging in sexual conduct with a patient, or conduct that may reasonably be interpreted by a patient as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient.
- 5) Demonstrating actual or potential inability to practice nursing with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, chemicals, or any other material, or as a result of any mental or physical condition.
- 6) Failing to report incompetent, unethical, or illegal practice of another health care provider.
- b) The Department hereby incorporates by reference the "Code for Nurses with Interpretive Statements", 1985, American Nurses Association, 600 Maryland Avenue, Suite 100 West, Washington, D.C. 20024-2561, with no later amendments or editions.
- c) The Department hereby incorporates by reference the "Code of Ethics", National Association for Practical Nurse Education and Service, Inc., 1991, 1400 Spring Street, Suite 330, Silver Spring, Maryland 20910, with no later amendments or editions.

(Source: Added at 23 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 23 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1300.APPENDIX A Minimal Skills List for Registered Professional Nurses

The minimal skills for registered professional nurses taking remedial education in accordance with Section 1300.35 are as follows:

- a) Nursing Care Plan
Take a complete history and do a complete physical assessment, including all body systems, to develop a nursing care plan.
- b) Standard Precautions and Infection Control
Demonstrate aseptic technique, isolation technique, reverse isolation technique and central line site care.
- c) Medications
Demonstrate ability to calculate dosages. Prepare and administer oral, ear, eye, subcutaneous, intramuscular, Z-track (method of injection), and intradermal medications. Identify and utilize different types of needles, syringes, vials, ampules and tubex.
- d) Intravenous (IV) Therapy
Set up equipment for starting an IV and demonstrate ability to start an IV. Demonstrate ability to start, stop and adjust intravenous pump. Demonstrate understanding of blood administration procedures and if available, start a blood administration.
- e) Fluids
Calculate intake and output for complex conditions: intravenous, hyperalimentation, bladder irrigations and nasogastric tube.
- f) Cardiovascular System
Locate all pulses and demonstrate use of doppler. Set up the equipment for central line insertion.
- g) Pulmonary System
Perform chest percussion, postural drainage and coughing. Demonstrate tracheostomy care and suctioning. Collect a sputum specimen. Monitor chest drainage and closed chest drainage systems. Transport patients with oxygen. Describe different types of oxygen administration equipment. Do preoperative teaching, including deep breathing, coughing and pursed lip breathing.
- h) Gastrointestinal System
Insert nasogastric tube. Administer tube feeding and medications by nasogastric tube. Identify ileostomy and colostomy appliances.
- i) Genitourinary System
Identify types and general sizes of catheters. Describe procedure for male and female catheterization and do catheterization (if available). Set up post TUR irrigation and do post transurethral resection (TUR) irrigation. Collect urine specimens.
- j) Neurological and Musculoskeletal Systems
Demonstrate range of motion exercises and crutch walking. Demonstrate proper turning of patients, such as a hip replacement patient.
- k) Endocrine System
Do self-monitoring of blood glucose.
- l) Reproductive Systems
Perform episiotomy care.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1300 APPENDIX B Minimal Assignment List for Registered Professional Nurses

The minimal assignments for registered professional nurses taking remedial education in accordance with Section 1300.35 are as follows:

- a) For all clients
Review chart, interview patient, and develop nursing care plan utilizing activity assessment and nursing diagnosis. Document the administration of medication (explaining intended effects, side effects, and potential interactions). Give total patient care within educational competencies under the supervision of a registered nurse preceptor.
- b) Day 1
Orientation to hospital and unit, interview patient, review documentation, observe and discuss administration of medication methods and crash cart procedures. Analyze roles and identify nursing diagnoses.
- c) Day 2
Provide care for two medical/surgical or orthopedic patients, focusing the care plan on developmental stage, stress and coping, and documentation. Identify and analyze strategies for own coping.
- d) Day 3
Apply nursing process and develop nursing care plans for two patients with neurological or rehabilitative problems.
- e) Day 4
Develop nursing care plans utilizing the nursing process for two patients needing care of catheters and measurement of output with corresponding documentation. Analyze fluid and electrolyte problems, explain significance of laboratory data, analyze status, apply nursing diagnosis, and document appropriately.
- f) Day 5
Develop nursing care plans and provide care for three patients with diabetes mellitus or endocrine problems. Analyze nursing process and apply nursing diagnoses for these clients.
- g) Day 6
Provide nursing care for two or three adults or children with cardiac and/or respiratory problems.
- h) Day 7
Provide care to preoperative and postoperative patients, admissions and discharges.
- i) Day 8
Provide care for three clients with mobility and diversionary needs.
- j) Day 9-12
Perform delegation of procedures and/or tasks with a registered nurse preceptor present on unit (day or evening) shift. Prepare a self-evaluation and preceptor evaluation to determine successful completion of the clinical component.
- k) Day 13

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Conference with preceptor for discussion of self-evaluation and determining successful completion of the clinical component. The nurse taking the remedial education course shall take or be scheduled to take a test on the Act and this Part.
- 2) The preceptor will notify the Department of the nurse's successful completion of the remedial education.

(Source: Added at 23 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1300.APPENDIX C Minimal Skills list for Licensed Practical Nurses

The minimal skills for licensed practical nurses taking the Remedial Education Course in Section 1300.45(a) are as follows:

- a) Nursing Care Plan
Participate in the collection of data with the registered nurse to assist in developing a nursing care plan.
- b) Standard Precautions and Infection Control
Demonstrate aseptic technique, isolation technique and reverse isolation technique.
- c) Medications (administration under supervision of registered nurse)
Demonstrate ability to calculate dosages. Prepare and administer oral, ear, eye, subcutaneous, intramuscular, z-track (method of injection), and intradermal medications. Identify and utilize different types of needles, syringes, vials, ampules and tubex.
- d) Intravenous (IV) Therapy (performed under supervision of registered nurse)
Set up equipment for starting an IV and demonstrate ability to adjust and stop intravenous pump. Hang intravenous fluids and calculate rate. Discontinue fluids.
- e) Fluids
Calculate intake and output for complex conditions: monitor intravenous, hyperalimentation, bladder irrigations and nasogastric tube.
- f) Cardiovascular System
Locate all pulses and demonstrate use of doppler.
- g) Pulmonary System
Perform chest percussion, postural drainage and coughing. Demonstrate tracheostomy care and suctioning. Collect a sputum specimen. Monitor chest drainage. Transport patients with oxygen. Describe different types of oxygen administration equipment. Do preoperative teaching including deep breathing, coughing and pursed lip breathing.
- h) Gastrointestinal System
Insert nasogastric tube. Administer tube feeding and medications by nasogastric tube. Identify ileostomy and colostomy appliances.
- i) Genitourinary System
Identify types and general sizes of catheters. Describe procedure for male and female catheterization and do catheterization (if available). Set up post TUR irrigation and do post transurethral resection (TUR) irrigation. Collect urine specimens.
- j) Neurological and Musculoskeletal Systems
Demonstrate range of motion exercises and crutch walking. Demonstrate proper turning of orthopedic patients, such as patient recuperating after a hip replacement.
- k) Endocrine System
Do self-monitoring of blood glucose.
- l) Reproductive Systems
Perform episiotomy care.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 23 Ill. Reg. _____, effective _____)

DEPARTMENT OF PROFESSIONAL REGULATION

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Section 1300.APPENDIX D Minimal Assignment List for Licensed Practical Nurses

The minimal assignment for licensed practical nurses taking a remedial education course set forth in Section 1300.45 are as follows:

a) For All Clients

Review chart, collect patient data and assist the registered nurse in development of the nursing care plan. Document the administration of medication (explaining intended effects, side effects, and potential interactions). Give total patient care within educational competencies under the supervision of a registered nurse preceptor.

b) Day 1

Orientation to hospital and unit, collect patient data, review documentation, observe and discuss administration of medication methods and crash cart procedures.

c) Day 2

Provide care for two medical/surgical or orthopedic patients, focusing the care plan on developmental stage, stress and coping, and documentation. Identify strategies for own coping.

d) Day 3

Apply nursing process and assist in the development of nursing care plans for two patients with neurological or rehabilitative problems.

e) Day 4

Assist in the development of nursing care plans for two patients needing care of catheters and measurement of output with corresponding documentation. Identify fluid and electrolyte imbalances. Relate laboratory data to symptoms and discuss urinary status.

f) Day 5

Assist in the development of nursing care plans and provide care for three patients with diabetes mellitus or endocrine problems.

g) Day 6

Provide nursing care for two or three adults or children with cardiac and/or respiratory problems.

h) Day 7

Provide care to preoperative and postoperative patients, admissions and discharges. Prepare a self-evaluation and preceptor evaluation for discussion of successful completion of the clinical component.

i) Day 8

- 1) Provide care for three clients with mobility and diversionary needs.
- 2) Conference with preceptor for discussion of self-evaluation and determining successful completion of the clinical component. The nurse taking the remedial education course shall take or be scheduled to take a test on the Act and this Part.
- 3) The preceptor will assure that the Department of Professional Regulation is notified of the licensed practical nurse's successful completion of the alternative current nursing practice update course.

(Source: Added at 23 Ill. Reg. _____, effective _____)

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Administration and Operation of the State Employees' Retirement System of Illinois
- 2) Code Citation: 80 Ill. Adm. Code 1540
- 3) Section Numbers:
1540.80
Amendment
1540.100
- 4) Statutory Authority: 40 ILCS 5/14-135.03
- 5) A Complete Description of the Subjects and Issues Involved:

Section 1540.80 Historically, the State Employees' Retirement System of Illinois has used the same gainful employment dollar limitation for its disability benefits as the Social Security Administration uses for their gainful employment limit. Effective July 1, 1999, the Social Security Administration is increasing their dollar limit to \$700. Because it has been nearly 9 years since the Social Security Administration increased their limit, the State Employees' Retirement System of Illinois is adding a Consumer Price Index (CPI) component to adjust the gainful employment level annually.

Section 1540.100 The State Employees Retirement System has been advised that, when individuals apply for a passport or arrive in the United States and receive Immigration and Naturalization papers, they must provide a copy of their birth certificate before the documents will be issued. Based on this information, we want to change this rule to allow the passport and immigration and naturalization papers to stand alone as documents that we can accept for birth date verification.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: None

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted in writing within 45 days after the proposed rules are published in the *Illinois Register* and should be directed to:

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

Michael L. Morý, Executive Secretary
State Employees' Retirement System of Illinois
P.O. Box 19255 - 2101 South Veterans Parkway
Springfield, Illinois 62794-9255
217-785-7444

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for provide corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: The System was not informed of this change by the IRS until April of this year.

The full text of the Proposed Amendments begins on the next page.

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE D: RETIREMENT SYSTEMS

CHAPTER 1: STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

PART 1540

THE ADMINISTRATION AND OPERATION OF THE

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

Section

1540.5

Introduction

1540.10

Appointment of Retirement System Coordinator

1540.20

Member's Contribution and Service Credit

1540.30

Determination of Rate of Compensation

1540.40

Prior Service Credit

1540.40

Credit for Service for Which Contributions are Permitted

1540.50

Severance of Employment - A Condition to the Payment of a Refund or Retirement Annuity

1540.70

Death Benefits

1540.80

Disability Claims

1540.90

Benefit Offset

1540.100

Birth Date Verification

1540.110

Marriage Verification

1540.120

Level Income Option

1540.130

Pension Credit for Unused Sick Leave

1540.140

Removal of Children from Care of Surviving Spouse

1540.150

Proof of Dependents

1540.160

Investigations of Benefit Recipients

1540.170

Interest on Member Contributions

1540.180

Date of Application - Retirement Annuity, Occupational and Nonoccupational and Temporary Disability Benefits, and Resignation

1540.190

Refund Payments

1540.200

Lump Sum Salary Payments

1540.210

Removal from the Payroll

1540.220

Latest Date of Membership

1540.230

Period for Payment and Amount of Payment of Contributions

1540.240

Contributions by the State (Repealed)

1540.250

Actuarially Funded Basis (Repealed)

1540.250

Payments to Establish Credit for Service for Which Contributions are Permitted

1540.255 Pick-up Option for Optional Service Contributions

1540.260 Contributions and Service Credit During Nonwork Periods

1540.270 Written Appeals and Hearings

1540.280 Availability for Public Inspection (Recodified)

1540.290 Procedure for Submission, Consideration and Disposition of Petitions

1540.300 Seeking the Recodification, Amendment or Repeal of these Rules and Regulations (Recodified)

1540.310 Organization of the State Employees' Retirement System (Recodified)

1540.310 Amendments

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

1540.320 Optional Forms of Benefits - Basis of Computation

1540.330 Board Elections

1540.340 Excess Benefit Arrangement

TABLE A

Optional Forms of Benefits - Basis of Computation

AUTHORITY: Implementing and authorized by Article 14 of the Illinois Pension Code [40 ILCS 5/Art. 14].

SOURCE: Filed December 20, 1977, effective December 31, 1977; filed and effective February 28, 1978; emergency rule at 4 Ill. Reg. 2, page 246, effective January 1, 1980; amended at 4 Ill. Reg. 12, pages 530, 532, 534, effective March 11, 1980; emergency rule at 4 Ill. Reg. 46, page 1300, effective November 1, 1980; amended at 5 Ill. Reg. 3454, effective March 19, 1981; amended at 5 Ill. Reg. 7225, effective July 1, 1981; amended at 5 Ill. Reg. 12846, effective October 30, 1981; amended at 6 Ill. Reg. 2114, effective January 29, 1982; amended at 6 Ill. Reg. 5505, effective April 16, 1982; codified at 6 Ill. Reg. 10935; emergency amendment at 6 Ill. Reg. 11084, effective August 31, 1982; for a maximum of 150 days; amended at 7 Ill. Reg. 677, effective December 30, 1982; amended at 7 Ill. Reg. 8831, effective July 15, 1983; emergency amendment at 8 Ill. Reg. 359, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4144, effective March 26, 1984; Sections 1540.280, 1540.290 and 1540.300 recodified to 2 Ill. Adm. Code 2375 at 8 Ill. Reg. 15902; amended at 9 Ill. Reg. 12375, effective July 30, 1985; emergency amendment at 9 Ill. Reg. 19752, effective December 5, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 8889, effective May 14, 1986; amended at 11 Ill. Reg. 11155, effective June 15, 1987; amended at 14 Ill. Reg. 10498, effective June 19, 1990; amended at 15 Ill. Reg. 7379, effective April 26, 1991; amended at 16 Ill. Reg. 14407, effective September 4, 1992; amended at 20 Ill. Reg. 8033, effective June 15, 1996; emergency amendment at 21 Ill. Reg. 476, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4992, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 13187, effective September 15, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 967, effective December 22, 1997; amended at 22 Ill. Reg. 15363, effective August 10, 1998; amended at 23 Ill. Reg. 3824, effective March 9, 1999; amended at 23 Ill. Reg. _____, effective _____.

Section 1540.80 Disability Claims

a) Nonoccupational Disability and Temporary Disability

1) Any member of the Retirement System claiming benefits for nonoccupational disability or temporary disability shall file an application with the Springfield Office of the System a written application on forms prescribed by the Board.

2) If a member makes a payment of contributions to the System in order to establish sufficient credit to qualify for a nonoccupational disability benefit, payment of the benefit shall accrue as of the later of the thirty-first day of absence from work (including any periods of such absence for which sick

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

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pay was received), the day after the member is last entitled to receive compensation (including any sick pay), or the date of payment to the System. The date of payment of the required contributions shall be determined in accordance with the provisions of Section 1540.220(a) (period for payment).

3) If a member makes a payment of contributions to the System in order to establish sufficient credit to qualify for a temporary disability benefit, payment of the benefit shall accrue as of the later of the 31st day after the member is last entitled to receive compensation or the date of payment to the System. The date of payment of the required contributions shall be determined in accordance with the provisions of Section 1540.220(a) - (Period for Payment).

4) If a member who is receiving a nonoccupational or temporary disability benefit wishes to make a payment of contributions to extend the period of eligibility for receipt of the benefit, the request to make such payment must be received at the Springfield Office of the System before the period of eligibility terminates and the date of payment of the required contributions shall be determined in accordance with the provisions of Section 1540.220(a) - (Period for Payment).

b) Occupational Disability

Any member of the Retirement System claiming benefits for occupational disability shall file at the Springfield Office of the System a written application on forms prescribed by the Board.

c) Licensed Physicians

1) Before an occupational, nonoccupational or temporary disability benefit can be approved, one statement must be received from a licensed physician attesting to the disability. An additional statement from a second licensed physician may be required by the disability examiner assigned to the case, depending on the nature of the disabling condition.

2) The term "licensed physician" shall mean any individual who has obtained a license through the Department of Professional Regulation Registration and Education as described in Section 11(A)(1) and (4) of the Medical Practice Act of 1987 (225 ILCS 50/11(A)(1) (4) (Rev. Stat.:1997; Ch. 111, par. 4400-11(4) and (4)). All licensed physicians must submit their registration number on all reports submitted to the Retirement System.

d) Report of Physicians

1) All physician's reports shall contain, among other things, the date and place of the first examination, the cause and nature of the disability, information regarding surgical work or laboratory tests, the date of last examination, prognosis regarding the member's disability, and an estimate of the probable length of disability.

2) All physician's reports shall be signed by a licensed practicing physician or by medical records personnel of a licensed clinic.

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

e) Gainful Employment

In the case of occupational, nonoccupational or temporary disability, an individual who is found to be gainfully employed shall have the his benefit terminated as of the date such employment commenced. The term "gainfully employed" shall be construed to mean either of the following:

1) Any employment by or for the State of Illinois.

2) Effective July 1, 1999, any remuneration that exceeds \$700 in any month. The \$700 monthly gainful employment limit will be adjusted each July 1 thereafter to the nearest whole dollar amount, based on the change in the Consumer Price Index for Urban Consumers for the prior calendar year. Any remuneration which exceeds \$500-99 in any month.

A) For purpose of this Section, "remuneration" shall be defined to mean:

- i) any compensation for personal services including fees, wages, salary, commissions, and similar items;
- ii) any income derived from the participation in a business activity through the performance of physical and/or mental activities generally performed for the production of income.

B) For purposes of this Section, remuneration shall be computed on a gross rather than net basis (i.e., no deductions of any kind including but not limited to deductions for losses, expenses, taxes or withholding, will be considered in such computation). Remuneration shall also include the fair market value of goods or services received, which if received in money would otherwise constitute remuneration. Remuneration representing gain from the sale, exchange or other disposition of goods or other property shall be equal to, the sum of the amount of money and the fair market value of any property received on such sale, exchange, or disposition, less the amount representing the cost to the seller in acquiring the goods or other property which is sold, exchanged, or disposed of. In applying this Section, the System shall consider the date on which the remuneration was earned rather than when it was received. For purposes of this Section, remuneration remuneration may be earned through either self-employment or employment by others.

f) Investigation of Claims

1) The Board of Trustees of the State Employees' Retirement System (SRS) recognizes its obligation to provide a systematic program for the continued investigation, control and supervision of disability claims.

2) Each disability benefit recipient is required to provide a current medical examination report each 6 months to substantiate continued disability. In order to substantiate the member's

STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

continued eligibility for disability benefits, the Disability Claims Examiner may require that the member submit to independent medical examinations and may request additional medical statements; hospital records; activity inspection reports; Department of Employment Security Earning Statements; Social Security benefit payment information; income tax records; or other pertinent information, all as deemed reasonable and necessary by the Examiner. The System will pay for independent medical examinations, hospital records, and activity inspection reports that it requires.

- 3) Failure of a disability benefit recipient to submit to an independent medical examination, to cooperate with an activity inspection, or to provide the information required shall result in suspension of benefit payments.

g) Definition of phrase "The Duties of the Member's Position" The phrase, "the duties of the member's position" shall mean the duties of the member's position as of the date the member's name is removed from the payroll without regard to subsequent changes in the duties of the position, availability of the position, or the member's right to return to the position.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 1540.100 Birth Date Verification

- a) Any person or persons making application for a retirement annuity, survivors or widows annuity, nonoccupational, occupational or temporary disability benefit shall submit as proof of birth date, a legal copy of their birth certificate or birth record.
- b) Upon the submission by the member of a declaration from the state where the birth occurred that no birth record exists, the following documents may be submitted for consideration:
 - 1) Military records
 - 2) Marriage record showing date of birth
 - 3) Evidence of Social Security payments that require attainment of specific age

- 4) Church records of birth or baptism
- 5) Passport or immigration and naturalization record
- 65) Two or more documents showing birth dates, such as insurance policies, school records, and medical records,--~~passport~~ ~~immigration-and-naturalization-record~~
- c) If none of the above documents are available, an affidavit from parents, older brother or sister, or relative having knowledge of the date of birth may be considered.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Organization

- 2) Code Citation: 2 Ill. Adm. Code 1650

- 3) Section Numbers: Adopted Action:
1650.1020 Repeal

- 4) Statutory Authority: Implementing and authorized by the Capital Development Board Act (20 ILCS 3105).

- 5) Effective date of Amendment: May 12, 1999

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain incorporations by reference? No

- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: This amendment involves an internal rule of the agency; neither prior publication nor a public comment period was required for this rulemaking.

- 10) Has JCAR issued a Statement of Objection to this rulemaking? No

- 11) Difference(s) between proposal and final version: None

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? This amendment involves an internal rule of the agency; no JCAR comment period was required for this rulemaking.

- 13) Will this amendment replace an emergency rule current in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: Section 1650.1020 is being repealed because revenues for the Public Building Fund fall to zero during FY99. The available fund balance is necessary to cover outstanding bonds and coupons. That constraint then eliminates the ability to fund any agency operation after FY98. Funding for the staff positions and parts of operations formerly provided by the fund are now being provided by the CDB revolving fund.

- 16) Information and questions regarding this adopted amendment shall be directed to:

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED AMENDMENTS

Fredrick W. Bahr, Chief Counsel
Capital Development Board
3rd Floor, Wm. G. Stratton Bldg.
Springfield, Illinois 62706
217/782-0700

The full text of the adopted amendment begins on the next page:

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE B: MISCELLANEOUS STATE AGENCIES
CHAPTER VII: CAPITAL DEVELOPMENT BOARD

PART 1650

RULES OF THE CAPITAL DEVELOPMENT BOARD

SUBPART A: ORGANIZATION

Section

1650.110 General
1650.210 Absence or Disability of Executive Director or Acting Executive Director
1650.310 Organization
1650.410 Rulemaking Procedures

SUBPART B: ILLINOIS BUILDING AUTHORITY

Section

1650.1010 Statutory Authority
1650.1020 Operating Budget (Repealed)
1650.1030 Funds
1650.1040 Insurance (Repealed)
1650.1050 Notice to Treasurer
1650.1060 Severability (Repealed)

TABLE A Organization Chart

AUTHORITY: Implementing and authorized by the Capital Development Board Act [20 ILCS 3105].

SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1980, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20291, effective October 1, 1984; amended at 16 Ill. Reg. 13237, effective August 13, 1994; amended at 20 Ill. Reg. 9917, effective July 16, 1996; amended at 23 Ill. Reg. ~~6421~~, effective May 12, 1999.

SUBPART B: ILLINOIS BUILDING AUTHORITY

Section 1650.1020 Operating Budget (Repealed)

- a) Not less than 60 days preceding the beginning of each fiscal year--a tentative operating budget for the Illinois Building Authority Division of the Board for the succeeding fiscal year shall be prepared and filed with the Comptroller, the State Treasurer and the Governor and mailed to others who request it. The budget shall finally be adopted by the Board not less than 60 days after the beginning of each

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED AMENDMENTS

fiscal year and shall become the operating budget for the Illinois Building Authority Division. No expense may be incurred for operation or administrative expenses in excess of the amount provided for in the annual budget unless the expenditure is authorized by a three-fifths (3/5) vote of the Board. A certified copy of the annual budget as adopted and a statement of the excess expenditure authorized shall be promptly filed with those previously receiving copies.

b) if for any reason the Board shall not have adopted an annual budget within 60 days after the beginning of a fiscal year, the tentative budget for the year or if one has not been filed, the annual budget for the preceding fiscal year, shall until the adoption of the annual budget, be deemed to be in force and be deemed the annual budget.

(Source: Repealed at 23 Ill. Reg. 6421 \equiv 3, effective May 12, 1999)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Aid to the Aged, Blind or Disabled
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) Section Numbers: Adopted Action:
113.107 Amendment
113.111 Amendment
- 4) Statutory Authority: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13].
- 5) Effective Date of Amendments: May 15, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: September 4, 1998 (22 Ill. Reg. 15872)

10) Has JCAR Issued a Statement of Objections to this amendment? No

11) Difference(s) between proposal and final version: The following change was made in the text of the proposed amendments:

1. The Subpart Heading was added.

2. In 'the Agency Note in Section 113.107(a), "which" was changed to "that".

3. "Lump sum" was hyphenated throughout the rulemaking.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
113.10	Amendment	23 Ill. Reg. 380
113.141	Amendment	23 Ill. Reg. 37

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 113.115 Initial Employment
- 113.116 Budgeting Earned Income For Contractual Employees
- 113.117 Budgeting Earned Income For Non-contractual School Employees
- 113.118 Termination of Employment
- 113.120 Exempt Earned Income
- 113.122 Recognized Employment Expenses
- 113.130 Income From Work/Study/Training Programs
- 113.131 Earned Income From Self-Employment
- 113.132 Earned Income From Roomer and Boarder
- 113.133 Earned Income From Rental Property
- 113.134 Earned Income In-Kind
- 113.139 Payments from the Illinois Department of Children and Family Services
- 113.140 Assets
- 113.141 Exempt Assets
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- 113.143 Deferral of Consideration of Assets
- 113.154 Property Transfers For Applications Filed Prior To October 1, 1989 (Repealed)
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- 113.246 Personal Allowance
- 113.247 Personal Allowance Amounts
- 113.248 Shelter
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- 113.301 Grandfathered Cases
- 113.302 Interim Assistance (Repealed)
- 113.303 Special Needs Authorizations
- 113.304 Retrospective Budgeting
- 113.305 Budgeting Schedule
- 113.306 Purchase and Repair of Household Furniture (Repealed)
- 113.307 Property Repairs and Maintenance
- 113.308 Excess Shelter Allowance
- 113.309 Limitation on Amount of AABD Assistance to Recipients from Other States (Repealed)
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- 113.405 Pending SSI Application (Repealed)
- 113.410 More Likely Than Not Eligible for SSI (Repealed)
- 113.415 Non-Financial Factors of Eligibility (Repealed)
- 113.420 Financial Factors of Eligibility (Repealed)
- 113.425 Payment Levels for Chicago Interim Assistance Cases (Repealed)
- 113.430 Payment Levels for all Interim Assistance Cases Outside Chicago (Repealed)
- 113.435 Medical Eligibility (Repealed)
- 113.440 Attorney's Fees for SSI Applicants (Repealed)
- 113.445 Advocacy Program for Persons Receiving Interim Assistance (Repealed)
- 113.450 Limitation on Amount of Interim Assistance to Recipients from Other States (Repealed)
- 113.500 Attorney's Fees for SSI Appellants (Renumbered)

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; emergency expired January 28, 1979; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective

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September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 86, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 3 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 43, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; amended at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 24, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by Sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill.

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Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6056, effective April 16, 1986; amended at 10 Ill. Reg. 6794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency

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amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. 14612, effective August 26, 1993; amended at 18 Ill. Reg. 2018, effective January 21, 1994; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6699, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15034, effective October 17, 1995; amended at 20 Ill. Reg. 858, effective December 29, 1995; emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 13642, effective July 15, 1998; emergency amendment at 22 Ill. Reg. 16348, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 18931, effective October 1, 1998; emergency amendment at 22 Ill. Reg. 21750, effective November 24, 1998, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 579, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1607, effective January 20, 1999; amended at 23 Ill. Reg. 5548, effective April 23, 1999; amended at 23 Ill. Reg. 6052, effective May 4, 1999; amended at 23 Ill. Reg. 6425 \equiv effective MAY 15 1999.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.107 Lump-Sum Lump-Sum Payments and Income Tax Refunds

- a) A lump-sum lump-sum payment is a one-time payment such as retroactive VA, SSA or UI benefits, lottery winnings, insurance settlements, etc. If the amount of the lump-sum lump-sum payment and other countable monthly income is sufficient to meet the client's needs prospectively for a period of at least one month, eligibility for assistance does not exist. However, if continued eligibility exists, the lump-sum payment is not budgeted until the payment month corresponding to the budget month in which the lump-sum lump-sum payment was received. Any amount remaining in the client's possession after the month of receipt is considered an asset subject to the appropriate asset disregard.
- AGENCY NOTE: A child's SSI lump-sum payment that is paid directly, on behalf of a child, into a dedicated account is not countable as income when received or as an asset in the month(s) following the month of receipt.

- b) When a lump-sum lump-sum payment is from SSI, and is not paid into a

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dedicated account, if continued eligibility for financial assistance does not exist, continue to provide medical assistance only. An SSI lump-sum payment paid into a dedicated account does not affect financial assistance eligibility.

- c) Income tax refunds shall be considered available assets and are to be considered against the appropriate non-exempt asset limitation of the assistance unit. One-half of joint tax refunds shall be considered available for each payee. A client who declares that less than one-half of the joint income tax was received may claim an exception.

- d) If the amount claimed to be received shall be considered. If a client is the beneficiary of a life insurance policy any portion of those proceeds not in excess of \$1500 used to pay for the funeral/burial expenses of the insured shall be exempt as income.

(Source: MAY 15 1999 23 Ill. Reg. 6425 \equiv effective MAY 15 1999)

Section 113.111 Protected Income

Supplemental Security Income (SSI) shall be protected income which shall not be considered available to meet the needs of any other individual.

AGENCY NOTE: Retroactive lump-sum lump-sum payments made by the Social Security Administration to SSI recipients, except those paid directly on behalf of a child into a dedicated account, are not protected income but are to be considered as any other lump-sum lump-sum payment.

(Source: MAY 15 1999 23 Ill. Reg. 6425 \equiv effective MAY 15 1999)

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- 1) Heading of the Part: General Assistance
- 2) Code Citation: 89 Ill. Adm. Code 114
- 3) Section Numbers: Adopted Action:
114.223 Amendment
114.224 Amendment
- 4) Statutory Authority: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].
- 5) Effective Date of Amendments: May 15, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register:
September 4, 1998 (22 Ill. Reg. 15901)
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: The following changes were made in the text of the proposed amendments:
 1. The Subpart Heading was added.
 2. In Section 114.223(a), "workers compensation" was capitalized.
 3. In Section 114.223(b)(1)(B), "Section" was struck.
 4. In Section 114.223(b)(3)(B) and (f)(1), "of" was changed to "after".
 5. In Section 114.223(c), "which" was changed to "that".
 6. In Section 114.224, "lump sum" was hyphenated.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?
No

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- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
114.10	Amendment	23 Ill. Reg. 382
114.408	New Section	22 Ill. Reg. 11279
<p>15) <u>Summary and Purpose of Rule:</u> These amendments exempt SSI lump-sum payments made on behalf of a child which are paid directly into a dedicated account. Under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Social Security Administration (SSA) requires Supplemental Security Income (SSI) lump-sum payments to children to be paid into a bank account when certain conditions are met. An SSI lump-sum payment for past-due benefits must be paid into a dedicated account when:</p> <ul style="list-style-type: none"> • the child being awarded the payment is under age 18 and has a representative payee and • the retroactive payment is greater than six times the monthly SSI rate. 		

The entire amount of the SSI lump-sum payment is directly deposited into the dedicated account. Any subsequent SSI lump-sum payments for past-due benefits may be deposited, at the option of the representative payee, into the account. No other funds can be deposited into the dedicated account.

Money in the dedicated account can be used only for specific and limited expenses of the disabled child (education, training, medical treatment, or other items related to the child's disability). When a representative payee spends money from the dedicated account for unauthorized expenses, the representative payee must repay the money.

Companion amendments are also being adopted in Ill. Adm. Code 113.

- 16) Information and answers to questions regarding these adopted amendments shall be directed to:

Mrs. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772
TWW: (217) 557-1547

The full text of adopted amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER D: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

Section	
114.1	Description of the Assistance Program
114.2	Determination of Not Employable
114.3	Advocacy Program for Persons Receiving State Transitional Assistance
114.5	Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
114.9	Client Cooperation
114.10	Citizenship
114.20	Residence
114.30	Age
114.40	Relationship
114.50	Living Arrangement
114.52	Social Security Numbers
114.60	Work Registration Requirements (Outside City of Chicago only)
114.61	Individuals Exempt From Work Registration Requirements (Outside City of Chicago only)
114.62	Job Service Registration (Outside City of Chicago only)
114.63	Failure to Maintain Current Job Service Registration (Outside City of Chicago only)
114.64	Responsibility to Seek Employment (Outside City of Chicago only)
114.70	Initial Employment Expenses (Outside City of Chicago only)
114.80	Downstate General Assistance Work and Training Programs
114.85	Downstate General Assistance - Food Stamps Employment and Training Pilot Project
114.90	Project Chance Participation/Cooperation Requirements (Renumbered)
114.100	General Assistance Jobs Program (Repealed)
114.101	Persons Ineligible for TANF Due to Time Limits

SUBPART C: PROJECT ADVANCE

Section	
114.108	Project Advance (Repealed)
114.109	Project Advance Participation Requirements of Adjudicated Fathers (Repealed)
114.110	Project Advance Cooperation Requirements of Adjudicated Fathers (Repealed)

114.111
114.113
114.115
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Project Advance Sanctions (Repealed)
Project Advance Good Cause for Failure to Comply (Repealed)
Individuals Exempt From Project Advance (Repealed)
Project Advance Supportive Services (Repealed)

SUBPART D: EMPLOYMENT AND TRAINING REQUIREMENTS

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Employment and Training Requirements
Persons Required to Participate in Project Chance (Repealed)
Advisory Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act (Repealed)
Persons in Need of Work Rehabilitative Services (WRS) to Become Employable (Repealed)
Employment and Training Participation/Cooperation Requirements (Repealed)
Employment and Training Program Orientation (Repealed)
Employment and Training Program Full Assessment Process/Development of an Employment Plan (Repealed)
Employment and Training Program Components (Repealed)
Employment and Training Sanctions (Repealed)
Good Cause For Failure to Cooperate With Work and Training Participation Requirements (Repealed)
Employment and Training Supportive Services (Repealed)
Conciliation and Fair Hearings (Repealed)
Employment Child Care (Repealed)

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section
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Unearned Income
Budgeting Unearned Income
Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
Initial Receipt of Unearned Income
Termination of Unearned Income
Exempt Unearned Income
Education Benefits
Unearned Income In-Kind
Earmarked Income
Jump-Sum Payments
Protected Income
Earned Income
Budgeting Earned Income
Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
Initial Employment

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114.229 Termination of Employment
 114.230 Exempt Earned Income
 114.235 Recognized Employment Expenses
 114.240 Income From Work/Study/Training Program (Repealed)
 114.241 Earned Income From Self-Employment
 114.242 Earned Income From Roomer and Boarder
 114.243 Earned Income From Rental Property
 114.244 Earned Income In-Kind
 114.245 Payments from the Illinois Department of Children and Family Services
 114.246 Budgeting Earned Income For Contractual Employees
 114.247 Budgeting Earned Income For Non-contractual School Employees
 114.250 Assets
 114.251 Asset Disregards
 114.252 Deferral of Consideration of Assets (Repealed)
 114.260 Property Transfers (Repealed)
 114.270 Supplemental Payments
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SUBPART F: PAYMENT AMOUNTS

Section

114.350 Payment Levels
 114.351 Payment Levels in Group I Counties
 114.352 Payment Levels in Group II Counties
 114.353 Payment Levels in Group III Counties

SUBPART G: OTHER PROVISIONS

114.400 Persons Who May Be Included In the Assistance Unit
 114.401 Eligibility of Strikers
 114.402 Special Needs Authorizations (Repealed)
 114.403 Institutional Status
 114.404 Retrospective Budgeting
 114.405 Budgeting Schedule
 114.406 Limitation on Amount of General Assistance to Recipients from Other States (Repealed)
 114.420 Redetermination of Eligibility
 114.430 Extension of Medical Assistance Due to Increased Income from Employment
 114.440 Attorney's Fees for VA Appellants
 114.442 Attorney's Fees for SSI Applicants

SUBPART H: CHILD CARE

114.450 Child Care (Repealed)
 114.452 Child Care Eligibility (Repealed)

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114.454 Qualified Provider (Repealed)
 114.456 Notification of Available Services (Repealed)
 114.458 Participant Rights and Responsibilities (Repealed)
 114.462 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)
 114.464 Rates of Payment for Child Care (Repealed)
 114.466 Method of Providing Child Care (Repealed)

SUBPART I: TRANSITIONAL CHILD CARE

Section
 114.500 Transitional Child Care Eligibility (Repealed)
 114.504 Duration of Eligibility for Transitional Child Care (Repealed)
 114.506 Loss of Eligibility for Transitional Child Care (Repealed)
 114.508 Qualified Provider (Repealed)
 114.510 Notification of Available Services (Repealed)
 114.512 Participant Rights and Responsibilities (Repealed)
 114.514 Child Care Overpayments and Recoveries (Repealed)
 114.516 Fees for Service for Transitional Child Care (Repealed)
 114.518 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 15, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective

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15, 1993; amended at 17 Ill. Reg. 2277, effective February 15, 1993; amended at 17 Ill. Reg. 3255, effective March 1, 1993; amended at 17 Ill. Reg. 3639, effective February 26, 1993; amended at 17 Ill. Reg. 3255, effective March 1, 1993; amended at 17 Ill. Reg. 6814, effective April 21, 1993; emergency amendment at 17 Ill. Reg. 19728, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3436, effective February 28, 1994; amended at 18 Ill. Reg. 7390, effective April 29, 1994; amended at 18 Ill. Reg. 12839, effective August 5, 1994; emergency amendment at 19 Ill. Reg. 8434, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15058, effective October 17, 1995; emergency amendment at 20 Ill. Reg. 4445, effective February 28, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9970, effective July 10, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7413, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8652, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15545, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 16356, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19820, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 588, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1619, effective January 20, 1999; amended at 23 Ill. Reg. 6067, effective May 4, 1999; amended at 23 Ill. Reg. 6464, effective MAY 15 1999.

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section 114.223 Lump-Sum Payments

- a) Income received either in the form of a one-time only, payment that does not continue on a regular basis or in the form of a retroactive payment for income that continues on a regular basis is considered nonrecurring lump-sum income (a lump-sum payment). Examples of nonrecurring lump-sum income are retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, workers' compensation settlements, personal injury settlements, lottery winnings, inheritances and insurance settlements.
- b) Any portion of the lump-sum payment used to pay for expenses incurred as a result of the lump-sum payment shall be exempt from consideration as nonrecurring lump-sum income as follows:
- Personal Injury Settlement - That portion of a personal injury payment is exempt which is used to pay for:
 - necessary costs of litigation or settlement, including attorney's fees;
 - the department's charge (see 89 Ill. Adm. Code Section 102.260);
 - medical costs resulting from the injury and paid by the client;
 - expenses to repair or replace personal property which was

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- damaged as a result of the injury.
- Workers' Compensation Payment - That portion of a Workers' Compensation payment is exempt which is used to pay for:
 - necessary costs of litigation or settlement, including attorney's fees;
 - medical costs resulting from the injury and paid by the client;
 - Insurance Payments
 - Insurance Payments - That portion of an insurance payment received due to loss is exempt when used to:
 - repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood, and repair or replacement of a car as a result of an accident or fire;
 - pay the funeral/burial or medical expenses of an insured where the client is the beneficiary of the insured's life insurance policy.
 - Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) of this Section within 60 days after of receipt shall be budgeted as nonrecurring lump-sum income. A payment receipt shall be required as verification of any insurance-related expense claimed as exempt under subsection (b)(3)(A) of this Section.
- c) A SSI lump-sum payment made on behalf of a child that is paid directly into a dedicated account is disregarded.
- d) Lump-sum payments that bring a family's countable resources up to the asset disregard for that family shall also be disregarded.
- e) That portion of a lump-sum payment that exceeds the amount that brings the family's countable resources up to the asset disregard is considered as follows:
- If the amount is less than the assistance payment level, the assistance payment for the month following the receipt of the lump-sum payment will be reduced by that amount.
 - If the amount is greater than the assistance payment level, the following action will be taken based on the specific amount of the lump-sum payment:
 - If the amount exceeds the assistance payment level by \$1,000 or less, the family will be ineligible for one month.
 - If the amount exceeds the assistance payment level by \$1,000 but less than or equal to \$2,000, the family will be ineligible for two months.
 - One additional month of ineligibility will be added for each \$1,000 increment.
- f) The assistance unit may apply to have the ineligibility period caused by receipt of nonrecurring lump-sum income shortened. The ineligibility period shall be shortened in the following situations:
- When the nonrecurring lump-sum payment or a portion of the

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payment becomes unavailable to the family because the family incurs a loss due to fire, flood or natural disaster which occurred during the ineligibility period. That amount of the lump-sum payment the client spends or contracts to spend within 60 days after the fire, flood or natural disaster to repair or replace the lost or damaged property shall be deducted from the lump-sum income when the period of ineligibility is recalculated.

2) When the nonrecurring lump-sum payment or a portion of the lump-sum payment becomes unavailable to the client due to payment of medical expenses which were incurred by a family member and paid in a month during the period of ineligibility caused by receipt of a lump-sum payment. Only those expenses which the Department allows toward meeting spenddown (see 89 Ill. Adm. Code 140.3) shall be considered allowable medical deductions when the period of ineligibility is recalculated. The allowable medical expenses must have been incurred and paid during the ineligibility period. A payment receipt shall be required as verification.

(Source: MAILED 1999 at 23 Ill. Reg. 6484, effective)

Section 114.224 Protected Income

Supplemental Security Income (SSI) shall be protected income which shall not be considered available to meet the needs of any other individual.

AGENCY NOTE: Retroactive lump-sum payments made by the Social Security Administration to SSI recipients, except those paid directly on behalf of a child into a dedicated account, are not protected income but are to be considered as any other lump-sum payment.

(Source: MAILED 1999 at 23 Ill. Reg. 6484, effective)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Program Description
- 2) Code Citation: 89 Ill. Adm. Code 676
- 3) Section Numbers:

676.10	Amendment	<u>Adopted Action:</u>
676.20	Amendment	
676.30	Amendment	
676.40	Amendment	
676.100	Repealed	
676.110	Amendment	
676.120	Amendment	
676.130	Amendment	
676.140	Amendment	
676.150	Amendment	
676.200	Amendment	
676.310	Amendment	

- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

- 5) Effective Date of Amendments: May 17, 1999

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: January 4, 1999 23 Ill. Reg. 47

- 10) Has JCAR issued a Statement of Objections to these amendments? No

- 11) Differences between proposal and final version: Section 676.30(b) changes "Customer" to "customer".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rule replace an emergency rule(s) currently in effect? No

- 14) Are there any amendments pending on this Part: No

- 15) Summary and Purpose of Amendments: The Home Services Program rules are undergoing revisions to update cites, terms and references to match

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organization of the Department of Human Services. These amendments also include revisions that clarify the employment relationship between the customer and the personal assistant he/she employs. Language has been added to explain the customer's role in hiring, supervising, disciplining, and dismissing a P.A. This section also includes revisions to include the newly approved Waiver for Services to Persons with Brain Injuries by adding and defining four new services.

- 16) Information and answers to questions regarding these adopted amendments shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

The full text of adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 676

PROGRAM DESCRIPTION

SUBPART A: GENERAL PROGRAM PROVISIONS

Section	Program Purpose and Types
676.10	General Program Accessibility
676.20	Definitions
676.30	Service Description
676.40	

SUBPART B: CASE MANAGEMENT

Section	Case Files (Repealed)
676.100	Sharing of Customer Information Between HSP and Other DHS Programs
676.110	Documentation of Information
676.120	Required Customer Signatures and Information Required to Receive Services Under the HSP
676.130	Application by DHS-ORS+ Employees, Individuals Holding Contracts with DHS, DHS-ORS+ Advisory Council Members, Family Members of DHS-ORS+ Employees, or Close Friends of DHS-ORS Employees
676.140	Geographic Case Assignment
676.150	

SUBPART C: VENDOR PAYMENT

Section	Vendor Payment
676.200	Reporting and Collection of Misspent Funds
676.210	

SUBPART D: REFERRAL TO DEPARTMENT ON AGING (DOA) (98A)

Section	Criteria for Referral to DoA
676.300	Disposition of Cases not Appropriate for Referral to DoA
676.310	

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5095, effective March 21, 1995; amended at 20 Ill. Reg. 6315, effective April 18, 1996; amended at 21 Ill. Reg. 2678, effective February 7, 1997; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 19563, effective October 23, 1998; amended at 23 Ill. Reg.

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6445 effective MAY 17 1999

SUBPART A: GENERAL PROGRAM PROVISIONS

Section 676.10 Program Purpose and Types

- a) The Department of Human Services (DHS) Home Services Program (HSP) is a Medicaid Waiver Program (42 CFR 440.180) program designed to prevent the unnecessary institutionalization of individuals who may instead be satisfactorily maintained at home at a lesser cost to the State.
- b) The Medicaid Waiver for the State of Illinois is administered by the Illinois Department of Public Aid (DPA), as the State's approved Medicaid agency. The operational responsibility for HSP, with the exception of hearings on benefit customer appeals (see 89 Ill. Adm. Code 510), rests with DHS.
- c) Although DHS shall be responsible for ensuring that the funds available under the HSP are administered in accordance with all applicable laws, DHS shall not have control or input in the employment relationship between the customer and the personal assistants.

(Source: Amended at 23 Ill. Reg. 6445 effective MAY 17 1999)

Section 676.20 General Program Accessibility

- a) All communications given or sent to a customer shall be in a language, medium, and at a level which the customer can understand.
- b) At any time a non-English print version of any form or document, including the Service Plan WRP, is used to meet the customer's needs and is placed in the case file, an English print copy must also be completed by the rehabilitation counselor or Case Manager/instructor and placed with the non-English print version in the case file.
- c) All locations in which customer meetings are held must be accessible for the customer and afford the maximum confidentiality for the customer.

(Source: Amended at 23 Ill. Reg. 6445 effective MAY 17 1999)

Section 676.30 Definitions

For the purposes of this Subchapter, unless otherwise stated, the following terms shall have the following meanings.

- a) Activities of Daily Living (ADLs) - those tasks an individual must do, or which an individual must have provided for him/her, in order to prevent institutionalization (i.e., bathing, dressing, shopping, cooking, housekeeping, etc.).
- b) Customer - anyone who:

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- 1) has been referred to HSP for a determination of eligibility for services;
- 2) has applied for services through HSP;
- 3) is receiving services through HSP; or
- 4) has received services through HSP; or
- 5) is ~~an~~ parent, family member, guardian, or duty authorized representative of the individual, as appropriate.

If the customer is unable to satisfy any of his/her obligations under the HSP, including, without limitation, the obligation to serve as an employer of the PA, the customer's parent, family member, guardian, or duly authorized representative may act on behalf of the customer and this included within the definition of "customer", as used throughout this Part.

For purposes of the PA services performed pursuant to the HSP, the customer shall serve as the employer of the PA. In this capacity, the customer is responsible for controlling all aspects of the employment relationship between the customer and the PA, including, without limitation, locating and hiring the PA, training the PA, directing, evaluating and otherwise supervising the work performed by the PA, imposing (where, in the opinion of the customer, it is appropriate or necessary) disciplinary action against the PA, and terminating the employment relationship between the customer and the PA.

- c) Counselor - the DHS-ORS staff person or contractual Case Manager who helps to ensure that the funds available under the HSP are properly distributed in accordance with the Service Plan, any applicable waiver programs, and all applicable laws. ~~for the purposes of this Subchapter, the term counselor shall mean the DHS staff person in the local DHS office who has the responsibility for the day-to-day management of the HSP case and Case Managers for the AIDS/Medicaid Waiver Program.~~
- d) Determination of Need (DON) - the assessment tool used to determine an individual's non-financial eligibility for HSP services based on the individual's impairment and need for care. This form measures the level of risk of institutionalization for the individual.
- e) DPA - Illinois Department of Human Services.
- f) DPA - Illinois Department of Public Aid.
- g) Family - any one related by blood, marriage, or adoption to the individual seeking services through HSP or anyone with whom the individual has a close inter-personal relationship and who resides with the individual.
- h) Family Unit - for the purposes of determining financial eligibility, the number of persons derived when counting the individual seeking services through HSP and the number of persons in the household who are legally responsible for the individual seeking services and for whom the individual seeking services is legally responsible.
- i) HCFA - the Federal Health Care Financing Administration.
- j) HSP - the Home Services Program (HSP) - a State and federally funded

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program designed to allow Illinois residents, who are at risk of unnecessary or premature institutionalization, to receive necessary care and services in their homes, as opposed to being placed in an institution.

- k) Home - a private residence where the customer lives which is not an intermediate care or skilled nursing facility as defined at 77 Ill. Adm. Code 300, or a residential program operated by, or for which funding is provided by, the Illinois Department of Human Services, Office of Mental Health and Office of Developmental Disabilities as defined at 59 Ill. Adm. Code 120. For the purpose of this Subchapter, the term "home" shall include domestic violence shelters as defined in Section 1(c) of the Domestic Violence Shelter Act [20 ILCS 2210/1(c)].
- l) Intermediate Care Facility (ICF) - a nursing facility that provides regular health related care to its residents, as well as those services necessary for safe and adequate living.

m) ~~Individual---the specific person to whom services are provided through HSP.~~

n) Legally Responsible Family Member - a spouse, parent of a child who is 20 years of age or under, or a legal guardian of an individual who is under age 18.

o) Medicaid - the Medicaid program administered by DPA under the Public Aid Code [305 ILCS 5/11].

p) Medicaid Waiver - the waiver allowing HSP to claim federal reimbursement for approved levels of in-home care for individuals who would otherwise be placed in institutions for such care. The Medicaid Waiver is overseen at the federal level by HCFA.

q) Personal Assistant (PA) - an individual employed by the customer to provide through HSP varied services that have been approved by the customer's physician.

r) Personal Assistant Backup Plan - the plan developed by the customer and designed to ensure that the customer receives the necessary care and services under the HSP in the event that his/her regular PA is unavailable or unwilling to perform his/her obligations under the HSP. The customer is responsible for designating the backup personal assistant.

s) Physician - a licensed doctor of medicine (M.D.) or doctor of Osteopathy (D.O.) licensed pursuant to the Medical Practice Act [225 ILCS 60].

t) Prescreening - an assessment to determine an individual's need for institutional care at the ICF or SNF level care, to ensure Medicaid payment for such a placement is appropriate, and the assessment as to whether or not HSP services are an appropriate alternative to institutional care for the individual.

u) Service Cost Maximum (SCM) - the maximum monthly amount which may be expended for HSP services for an eligible individual. This amount is determined based on the individual's DON score and the specific programmatic component of HSP through which the individual is being served.

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- v) Service Plan - specifically, the HOME-SERVICES--PROGRAM--SERVICE--PLAN Home Services Program Service Plan (IL 488-1049), Home Services Program Service Plan Addendum or HOME-SERVICES--PROGRAM--SERVICE--PLAN ADDENDUM (IL 488-1050) or the Interim Agreement (IL 488-2344) forms, on which all services to be provided to an individual through HSP are listed.

w) Services - the the necessary tasks provided to an individual, in one or more of the areas listed in Section 676.40 and listed on the individual's Service Plan, through HSP with the intent of preventing the unnecessary institutionalization of the individual.

x) Skilled Nursing Facility (SNF) - a facility that provides regular and on-going nursing level care to its residents due to the residents' medical conditions, as well as those services necessary for safe and adequate living.

(Source: MAY 1 1993, 23 Ill. Reg. 0455, effective

Section 676.40 Service Description

The following is a listing of the services available through HSP. The service level, combination of services, and amount of services for which a customer ~~an individual~~ is eligible is dependent upon the needs of the customer ~~individual~~ as determined during the determination of eligibility (see 89 Ill. Adm. Code 681).

a) Personal Assistant (PA) Services - services provided by an individual employed by ~~under the supervision of~~ the customer. HSP Services provided by a PA must be approved by the customer's physician.

b) Adult Day Care (ADC) Services - direct care and monitoring of customers in a community-based setting for any portion of a 24-hour day for the purpose of promoting social, physical, and emotional health and well being and offering an alternative to an institutional setting.

ADC services are provided only when the social, emotional, and physical needs of the customer ~~individual~~ cannot be met in the home through other available services.

c) Homemaker Services - general support provided by trained and professionally supervised individuals to maintain, strengthen, and safeguard the functioning of an individual in his/her home when no responsible person is available or capable of monitoring such services. Such services include the actual completion of, and the training in, completion of ADAs.

d) Maintenance Home Health Services - services provided for a customer ~~an individual~~, in his/her home, in accordance with a care plan prescribed or recommended by a physician or other health care professional. These services include three basic categories of care, which are:

- 1) direct health care provided by a registered nurse (RN) and/or a licensed practical nurse (LPN);

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- 2) direct health care provided by a Certified Nurse Aid (CNA) who is supervised by a RN or LPN; and
- 3) in-home therapy, including the areas of physical, occupational and speech therapy.
- e) Home Delivered Meals - prepared food brought to the customer's ~~individual's~~ home. Usually, home delivered meals consist of a hot lunch and a smaller dinner meal that may be refrigerated and eaten later. These services are provided when available and when they are more cost effective than PA services for an eligible individual who has a need for care in the area of meal preparation but who can adequately feed him/herself.
- f) Electronic Home Response Services (EHRS) - a 24-hour per day emergency communication link to assistance outside the customer's ~~individual's~~ home for customers ~~individuals~~ who have no other persons available for assistance should an emergency arise.
- g) Assistive Equipment - items with a useful life of at least one year expressly designed and used by a customer ~~an--individual~~ to increase his/her independence in completion of his/her ADLs. When provided, assistive equipment must result in a current or anticipated decrease in, or the elimination of, any need for assistance from another individual in the completion of ADLs. Assistive equipment may be purchased, rented, or repaired, depending on the needs and anticipated needs of the customer ~~individual~~.
- h) Environmental Modification - services to physically change the customer's ~~individual's~~ home so that he/she may be more independent in the completion of his/her ADLs. Provision of environmental modification services must result in a decrease in, or elimination of, assistance from another individual in the completion of ADLs.
- i) Respite Services - limited Extended PA, Homemaker, and Maintenance Home Health services provided to a customer ~~an--individual~~ to provide for his/her ADLs during periods of time it is necessary for the family/primary care giver to be absent. Respite services are provided to a customer ~~an--individual~~ to allow the family/primary care giver relief for vacations, rest, errands, family crises and emergency situations. Respite services are provided in the maximum amount of 240 hours per calendar year and are provided regardless of financial need. ~~BON--score--points--for--respite--services--differ--from--those--of--regular--HSP--services--see--99--III--Adm--Code--679--467.~~
- j) Day Habilitation Services - assistance provided to a person with a brain injury to assist with the acquisition, retention and improvement in self-help, socialization and adaptive skills. These services are provided in a setting separate from the residence in which the customer is residing.
- k) Pre-Vocational Services - services provided to a person with a brain injury that are aimed at preparing the individual for paid or unpaid employment, but are not job task oriented. Specific services include teaching concepts such as compliance, attendance, task completion, problem solving and safety.

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- l) Supported Employment Services - services provided to a customer with a brain injury, which consist of paid employment for persons for whom competitive employment is unlikely, who because of his or her disabilities need intensive, ongoing support to perform in a work setting. Supported Employment includes, but is not limited to, activities needed to sustain the customer in supported employment (i.e., supervision and training).
- m) Behavioral Services - remedial therapies provided to a person with a brain injury to decrease the individual's severe maladaptive behaviors. These services are intended to enable the customer to better manage his or her behavior and therefore be more capable of living independently.

(Source: Amended at 23 Ill. Reg. 6445, effective MAY 17 1999)

SUBPART B: CASE MANAGEMENT

Section 676.100 Case Files (Repealed)

~~A separate case file will be kept for each individual served through HSP regardless of his/her customer status for any other program of DHS--Each case will have a separate and unique case number.~~

(Source: ~~Repealed~~ at 23 Ill. Reg. 6445, effective MAY 17 1999)

Section 676.110 Sharing of Customer Information Between HSP and Other DHS Programs

- a) All information received by DHS-DHS for the purpose of providing HSP services to a customer ~~an--individual~~ shall only be used for such purposes and may not be shared with any other program of DHS unless the individual consents to the release of such information and a release of information is signed by the customer authorizing the release.
- b) No information may be obtained from a case file of another program of DHS by HSP for the purposes of providing services to a customer ~~an individual~~ unless the customer ~~individual~~ consents to the release of such information and a release of information is signed by the customer authorizing the release.

Section 676.120 Documentation of Information

All records and information which may effect the determination of ~~an individual's~~ eligibility, services, or future services must be maintained in the customer's case file.

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(Source: MAY 17 1999 23 Ill. Reg. 6445 - effective

Section 676.130 Required Customer Signatures and Information Required to Receive Services Under the HSP

- a) In order to receive services, or continue to receive HSP services, for which DHS-ORS would pay on behalf of the customer, a customer is required to sign all forms, and supply any information required to complete those forms, which are necessary to comply with all applicable State and federal laws or the provisions of the Medicaid Waiver or are necessary to process payments through the Comptroller's Office. An individual receiving PA services must sign the Customer/Provider Agreement pursuant to 89 Ill. Admin. Code 606.40-1.
- b) Consistent with its obligation to ensure that the HSP funds are properly distributed, the Department shall have the authority to develop sample forms that may be used as guidance to the customer in the exercise of his/her obligations under the HSP. Except as required by law or specific provisions of the HSP, the customer is not obligated to use such sample forms and may deviate from or alter such sample forms.
- c) A customer employing a personal assistant is required to enter into an Employment Agreement with his/her personal assistant to confirm their understanding of the nature of the employment relationship involved and the extent of control that the customer retains over the services performed by the personal assistant, as prescribed by 89 Ill. Admin. Code 686.10.

(Source: Amended MAY 17 1999 23 Ill. Reg. 6445 - effective

Section 676.140 Application by DHS-ORS Employees, Individuals Holding Contracts with DHS-ORS, DHS-ORS Advisory Council Members, Family Members of DHS-ORS Employees, or Close Friends of DHS-ORS Employees

- a) At any time a DHS-ORS employee, an individual holding a contract with DHS-ORS, a DHS-ORS Advisory Council member, a family member of a DHS-ORS employee, or a close friend of a DHS-ORS employee applies for services from DHS-ORS, and it is brought to the attention of the counselor, the counselor must notify his/her supervisor who shall notify the Home Services Regional Administrator (RA) in writing.
- b) After review of the situation, the Home Services Administration RA shall make assignment of the case to an appropriate staff member to ensure propriety of services.
- c) For the purposes of this Section, "family member" shall mean spouse, sibling, child, parent, parent-in-law, sibling-in-law, or any other blood relative who resides in the household of the employee or

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- a) For the purpose of this Section, "close friend" shall mean any individual who has such a relationship with the employee that would cause a conflict of interest or the appearance of impropriety.
- e) Any employee who knows of or suspects that services to another DHS-ORS employee, individual who holds a contract with DHS-ORS, DHS-ORS Advisory Council member, family member of a DHS-ORS employee, or close friend of a DHS-ORS employee have not been reported as required in subsection (a), above, shall report the situation to his/her immediate supervisor. The immediate supervisor must investigate the situation and take appropriate action. Appropriate action may include reassignment of the case and discipline of the employee violating these requirements if there is evidence the employee knew the individual to be an individual described in subsection (a), above, and failed to report the situation.

(Source: Amended at 23 Ill. Reg. 6445 - effective MAY 17 1999)

Section 676.150 Geographic Case Assignment

A customer will be served by the office which is assigned the geographic area of the customer's residence. Exceptions to such assignment may be made only with the written approval of the Home Services Program Chief of the Bureau of Field Operations Regional Administrator, Division Manager, Division of Home Services, or Deputy Director.

(Source: MAY 17 1999 23 Ill. Reg. 6445 - effective

SUBPART C: VENDOR PAYMENT

Section 676.200 Vendor Payment

Because HCFA regulations (42 CFR 447.10(d)) prohibit re-assignment of provider claims, no payment will be made directly to any customer of the HSP. In order to ensure that HSP funds are administered properly, no payment ~~to~~ on behalf of any customer, will be made to any vendor unless the services for which the payment is to be made were approved by DHS-HSP. ~~Further, no payment, on behalf of any customer, shall be made until after service has been rendered and verified.~~

(Source: Amended at 23 Ill. Reg. 6445 - effective MAY 17 1999)

SUBPART D: REFERRAL TO DEPARTMENT ON AGING DOA (90A)

Section 676.310 Disposition of Cases not Appropriate for Referral to DoA

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Any customer individual not meeting the criteria for referral to Doh stated in Section 676.300 shall have his/her case maintained by DHS and shall continue to receive services through HSP as long as he/she continues to meet the eligibility criteria established by DHS.

(Source: Amended at 23 Ill. Reg. 6445, effective MAY 17 1999)

DEPARTMENT OF HUMAN SERVICES
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Provider Requirements, Type Services, and Rates of Payment

2) Code Citation: 89 Ill. Adm. Code 686

3) Section Numbers: Adopted Action:
686.1000 New Section
686.1010 New Section
686.1020 New Section
686.1025 New Section
686.1030 New Section
686.1040 New Section
686.1100 New Section
686.1110 New Section
686.1200 New Section
686.1210 New Section
686.1300 New Section
686.1310 New Section
686.1400 New Section
686.1410 New Section

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

5) Effective Date of Amendments: May 17, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register:

January 4, 1999, 23 Ill. Reg. 59

10) Has JCAR Issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part: No

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- 15) Summary and Purpose of Amendments: This rulemaking amends this Part to incorporate new language needed to implement the federally approved Medicaid Waiver programs for persons with a brain injury. These amendments include descriptions and provider requirements and rates of payment for five new services being added to HSP to implement the Medicaid Waiver. These new services include Case Management Services, Behavioral Services, Day Habilitation Services, Prevocational Services and Supported Employment Services. All services are for persons with a brain injury.

- 16) Information and answers to questions regarding these adopted amendments shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield Illinois 62762
(217) 785-9772

The full text of adopted amendment(s) begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 686

PROVIDER REQUIREMENTS, TYPE SERVICES, AND RATES OF PAYMENT

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Section
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686.1410 Rate of Pay for Supported Employment Services

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5104, effective March 21, 1995; amended at 20 Ill. Reg. 12479, effective August 28, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 22 Ill. Reg. 18945, effective October 1, 1998; amended at 22 Ill. Reg. 19262, effective October 1, 1998; amended at 23 Ill. Reg. 499, effective December 22, 1998; amended at 23 Ill. Reg. 6457, effective MAY 17 1999.

SUBPART K: CASE MANAGEMENT SERVICES TO PERSONS WITH BRAIN INJURIES

Section 686.1000 Program Overview

The Department of Human Services (DHS) shall enter into agreements with community-based organizations to provide case management to persons diagnosed with brain injuries who are eligible for services provided by the Medicaid Waiver for Persons with a Brain Injury. For geographic areas in Illinois in which case management agencies are not located, case management shall be provided by DHS Home Services counselors.

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(Source: Adm. Code 686.1010 23 Ill. Reg. 6457 effective MAY 17 1999)

Section 686.1010 Case Management Provider Responsibilities

- a) Case Managers
- 1) The Case Manager shall receive referrals from hospitals, other health providers, and other State and local agencies.
 - 2) The Case Manager shall have full responsibility for determining eligibility, including assessment, development of service plans, and arrangement and implementation of services to be provided.
 - b) The Case Manager shall provide the following services:
 - 1) Initial assessment of eligibility and information gathering (89 Ill. Adm. Code 682);
 - 2) development of a care plan and implementation (89 Ill. Adm. Code 684);
 - 3) reassessment of the level of care at least every three months or at such time when the customer's financial, disabling condition or need for services circumstance changes;
 - 4) networking/coordination/brokering services (i.e., referring and assisting the customer in obtaining other agencies' services);
 - 5) counseling and advocacy;
 - 6) contacting the customer a minimum of three times per month, at least one contact being a face-to-face visit;
 - 7) maintaining and updating customer records; and
 - 8) monitoring the cost effectiveness of the service plan (89 Ill. Adm. Code 679-50).
 - c) Eligibility for the Brain Injury Waiver
 - 1) After receipt of a referral, the Case Manager shall complete an individual's eligibility determination for the Medicaid Waiver for Persons with a Brain Injury within the following timeframes:
 - A) 2 working days for prescreening referral from cooperating hospitals for interim/emergency services;
 - B) 5 working days for all other prescreening for interim/emergency services; and
 - C) 10 working days for an eligibility referral.
 - 2) The Case Manager shall determine customer eligibility for the Brain Injured Waiver by completing an assessment from a home visit or while the customer is hospitalized (89 Ill. Adm. Code 682). To determine customer eligibility, the Case Manager will use the HSP Determination of Need Assessment (89 Ill. Adm. Code 682).
 - 3) The Case Manager shall assess the customer's limitations in activities of daily living (ADLs) (e.g., cooking, bathing, shopping) and the resources available to assist the customer in performing the ADLs (89 Ill. Adm. Code 682).
 - d) The Case Manager will provide a case action notice to each customer informing him or her of the eligibility determination, of all rights

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and responsibilities under the case management program, including the customer's right to request an appeal, the appeals procedures promulgated by the Department, the right to receive assistance in filing the request for appeal and information about the services of the Client Assistance Program (CAP) and how to reach CAP. The determination notice must be mailed to the HSP office within 10 working days after the date on which a completed application is received by the Case Manager.

- e) Service plan
- 1) If the assessment demonstrates the customer is at risk of unnecessary or premature placement in an institution because of his/her brain injury, the Case Manager shall develop a service plan that will allow the customer to live at home (89 Ill. Adm. Code 684.70).
 - 2) The service plan will be retained during the time the case is opened and for five years after closure, unless an audit exception has occurred. In the case of an audit exception, the service plan will be retained until the audit exception has been resolved. Copies of the service plan will be maintained in the Case Manager's location and the HSP office. Closed cases will be retained in the HSP Central Office.
 - 3) The service plan shall be approved and signed by the customer's physician or neuro-psychologist. If the plan is not approved by the customer's physician or neuro-psychologist, it cannot be implemented and the customer cannot be served under the Brain Injured Waiver.
 - 4) If implementation of services is delayed beyond required time limits in subsection (c) of this Section, the Case Manager must inform the HSP administration and assist the customer in obtaining another provider.
 - f) Records of contact with customer will be entered and maintained by the Case Manager in the customer's confidential case record. All contacts, oral or written, with or on behalf of a customer shall be documented in a confidential case record. The Case Manager is responsible for obtaining consents for the release of information as necessary and when required by regulation (89 Ill. Adm. Code 505).
- (Source: Added at 23 Ill. Reg. 6457 effective MAY 17 1999)

Section 686.1020 Case Manager Staffing Requirements, Qualifications and Training

- a) Every agency providing case management services shall designate an individual who has overall responsibility for the administration of case management services.
- b) A Case Manager shall meet one of the following qualifications:
 - 1) a Registered Nurse, licensed pursuant to the Illinois Nursing Act

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- of 1987 (225 ILCS 65);
- 2) a Certified or Licensed Social Worker, certified or licensed pursuant to the Illinois Clinical Social Work and Social Work Practice Act (225 ILCS 201;
 - 3) a Social Worker with a minimum of a Bachelor's degree in social work, social sciences or counseling. A Bachelor's of Social Work or a Master's of Social Work from a school accredited by any organization nationally recognized for the accreditation of schools of social work is preferred; or
 - 4) a Vocational Specialist holding a certification in Rehabilitation Counseling of a minimum of 3 years working with people with disabilities;
 - c) Each Case Manager shall have no more than 30 customers.
 - d) Annually, each Case Manager shall receive at least 12 hours of in-service training. The training must be relevant to the provision of services to persons with brain injuries.

(Source: Added at 23 Ill. Reg. 0457, effective MAY 17 1999.)

Section 686.1025 Provisional Case Manager

- a) There shall be two levels of case management staff: Provisional Case Manager and Case Manager. A Provisional Case Manager is one who has not achieved a competency score of 98% or greater on the case reviews done by the Home Services Program (HSP) administrative staff per Section 686.1030(d). Assessments, service plans and reassessments completed by a Case Manager may be implemented without consultation with the HSP administrative staff. Provisional Case Managers shall submit all developed plans to HSP for approval. Approval of the plan will be based on a review to determine that: the DON assessment on which the plan is developed is complete and accurate; the plan meets the needs identified by the assessment; the plan is cost effective compared with comparable institutional care; and the plan has been approved by the customer's physician or neuro-psychologist.
- b) All Provisional Case Managers will work toward meeting Case Manager standards within six months after receiving the HSP Case Manager Training. Case Manager status will be granted when six case file reviews attain a competency score of 98-100% using the review process described in this subsection (b).
 - 1) The HSP administrative staff will review three case files within three months from the end date of the Case Manager Training. The Case Manager will be present and have the Case Manager Training Manual.
 - 2) The HSP staff will review each case using the HSP case file review quality assurance form.
 - 3) Using the Case Manager Training Manual, HSP staff will discuss each deficiency with the Case Manager.

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- 4) A corrective action plan will be developed by HSP staff for the Case Manager to resolve all deficiencies in the case file.
 - 5) The Case Manager will implement the corrective action plan and complete all items prior to the next review of the case files.
 - 6) HSP staff will review all files noted in the corrective action plan for compliance with case management practices.
 - 7) The above process will continue until the cases reviewed for the Case Manager meet a 98-100% compliance score on six case file reviews.
 - c) A Case Manager shall return to provisional status when any of the following events occur:
 - 1) A review of files, per this Section, results in a score of 98% or less; or
 - 2) Within the last year, HSP staff have made five requests for materials that were not submitted on time.
- Prior to the initiation of action to return a Case Manager to provisional status, the Case Manager will be sent a letter outlining deficiencies and shortcomings. The Case Manager will have 10 days to respond. The Case Manager will be returned to provisional status unless the Case Manager can prove the Department is incorrect.

(Source: Added 23 Ill. Reg. 0457, effective MAY 17 1999.)

Section 686.1030 Monitoring and Liability

- a) The HSP staff shall monitor the Case Manager to assure compliance with this Subpart by:
 - 1) reviewing Provisional Case Managers as set forth in subsection (c) of this Section;
 - 2) reviewing, on an annual basis, a random sample of 10% of the cases handled in the preceding 12 months or two cases, whichever is greater; and
 - 3) visiting, at least annually, all contracting case management agencies.
- b) The HSP supervisory staff shall monitor the service plans of customers served by a Case Manager to ensure that:
 - 1) The Case Manager is monitoring the customer's case by carrying out at least one face-to-face visit and two other contacts, monthly;
 - 2) The Case Manager is reassessing the service plan at least every three months;
 - 3) Each of the reassessments undertaken by the Case Manager is complete and accurate;
 - 4) Any amendments to the service plan are consistent with the findings of the reassessment;
 - 5) The service plan remains cost effective (i.e., the cost of the service plan is equal to or less than the State's costs for

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6) nursing facility care); and
The service plan is approved by the customer's physician or neuro-psychologist.

c) Liability

1) DHS is not liable for actions of the Case Manager and the Case Manager must agree to hold DHS harmless against any and all liability, loss, damage, costs or expenses arising from wrongful or negligent acts of the Case Manager.

2) The Case Management provider shall certify that it has maintained and will maintain liability insurance coverage. Upon request, the Case Management provider shall make available policies, certificates of insurance or current letters documenting all insurance coverage.

3) The Case Management agency shall remain liable for the performance of any person, organization, unincorporated association or corporation with which it contracts.

(Source: Added at 23 Ill. Reg. 645 7 = 7 effective
MAY 17 1999)

Section 686.1040 Provider Compliance Requirements

In order to participate in the DHS program for providing services to persons with brain injuries, the provider of case management services agrees to meet the following minimum requirements, which shall be reviewed by DHS annually for compliance.

a) Organization and Administration: The agency providing case management services shall make available, upon request, its articles of incorporation, or if an unincorporated association, it shall provide a statement of purpose and functions and the names and addresses of its owners, partners or general partners.

b) Audits: DHS reserves the right to audit all records and accounts pertinent to the Agreement at anytime within five years after the final completion date of the Agreement.

c) Policies and Procedures: The provider of case management services shall have written policies approved by its governing authority and available for review by customers and purchasers of the service. Such policies shall at a minimum cover:

1) Services provided; the type and scope of services provided. When more than one type of service is offered, there shall be a clear distinction between each type of service.

2) Personnel Policies: salary schedules, hours of work, sick leave, provision for handling employee grievances and requirements for attendance at work conferences and training sessions. There shall be written job descriptions identifying required qualifications and duties for each title.

d) State and Federal Statutes

1) All providers of case management services are subject to

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compliance with Illinois statutes governing conflict of interest (Sections 50-13 and 50-20 of the Illinois Procurement Code [30 ILCS 500/50-13 and 50-20]).

2) All providers shall agree to comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d), Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), the Illinois Human Rights Act [775 ILCS 5/1-10], the Constitution of the United States, the 1970 Constitution of the State of Illinois and any laws, regulations or orders. State or Federal, that prohibit discrimination on the basis of race, color, sex, religion, national origin, ancestry, age, marital status, inability to speak or comprehend the English language, physical or mental disabilities, or unfavorable discharge from military service.

e) Non-compliance: If the provider of case management services is not in compliance with the requirements of this Subpart, corrective actions up to and including termination of the contract shall be taken.

(Source: ~~MAY 17 1999~~ 23 Ill. Reg. 645 7 = 3, effective
MAY 17 1999)

SUBPART L: BEHAVIORAL SERVICES FOR PERSONS WITH BRAIN INJURIES

Section 686.1100 Behavioral Services Provider Requirements

HSP shall use Behavioral Service Providers that are licensed under the Illinois Clinical Psychologist Licensing Act [225 ILCS 15], the Illinois Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107], or the Illinois Clinical Social Work and Social Work Practice Act [225 ILCS 20].

(Source: Added at 23 Ill. Reg. 645 7 = 4, effective
MAY 17 1999)

Section 686.1110 Rate of Payment for Behavioral Services

HSP shall pay Behavioral Service Providers at rates established per 89 Ill. Adm. Code 545, Rate-making.

(Source: Added at 23 Ill. Reg. 645 7 = 5, effective
MAY 17 1999)

SUBPART M: DAY HABILITATION SERVICES FOR PERSONS
WITH BRAIN INJURIES

Section 686.1200 Day Habilitation Services Provider Requirements

HSP shall use Day Habilitation Service Providers that are certified under 59 Ill. Adm. Code 119, Minimum Standards for Certification of Developmental Training Programs.

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(Source: Added at 23 Ill. Reg. 6457.33, effective MAY 17 1999.)

Section 686.1210 Rate of Payment for Day Habilitation Services

HSP shall pay Day Habilitation Providers the rate established per 59 Ill. Adm. Code 120, Medicaid Home and Community-Based Services Waiver Program for Individuals with Developmental Disabilities.

(Source: Added at 23 Ill. Reg. 6457.33, effective MAY 17 1999.)

SUBPART N: PREVOCATIONAL SERVICES FOR PERSONS WITH BRAIN INJURIES

Section 686.1300 Prevocational Services Provider Requirements

HSP shall use Prevocational Services Providers that meet standards as set forth in 89 Ill. Adm. Code 530, Criteria for the Evaluation of Programs of Services in Rehabilitation Facilities.

(Source: Added at 23 Ill. Reg. 6457.33, effective MAY 17 1999.)

Section 686.1310 Rate of Payment for Prevocational Services

HSP shall pay Prevocational Services Providers rates as established per 89 Ill. Adm. Code 545, Ratemaking.

(Source: Added at 23 Ill. Reg. 6457.33, effective MAY 17 1999.)

SUBPART O: SUPPORTED EMPLOYMENT SERVICES FOR PERSONS WITH BRAIN INJURIES

Section 686.1400 Supported Employment Service Provider Requirements

HSP shall use Supported Employment Service Providers that meet standards as set forth in 89 Ill. Adm. Code 530, Criteria for the Evaluation of Programs of Services in Rehabilitation Facilities.

(Source: Added at 23 Ill. Reg. 6457.33, effective MAY 17 1999.)

Section 686.1410 Rate of Pay for Supported Employment Services

HSP shall pay Supported Employment Service Providers rates as established per 89 Ill. Adm. Code 545, Ratemaking.

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(Source: Added at 23 Ill. Reg. 6457.33, effective MAY 17 1999.)

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- 1) Heading of the Part: Service Planning and Provision
- 2) Code Citation: 89 Ill. Adm. Code 684
- 3) Section Numbers: Adopted Action:
684.10 Amendment
684.20 Amendment
684.30 Amendment
684.40 Amendment
684.50 Amendment
684.70 Amendment
684.80 Amendment
684.90 Amendment
684.100 Amendment

- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

- 5) Effective Date of Rulemaking: May 17, 1999

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain incorporations by reference? No

- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: January 4, 1999, 23 Ill. Reg. 71

- 10) Has JCRC issued a Statement of Objections to these amendments? No

- 11) Differences between Proposal and final version:

In Section 684.20(b), removed "89 Ill. Adm. code" after "Section".

In Section 684.70(d), removed "help" after "including the specific community based service to".

In Section 684.80(e), added "of the interim service plan" after "approval" and struck "as to" and replaced it with "based upon".

- 12) Have all the changes agreed upon by the agency and JCRC been made as indicated in the agreements issued by JCRC? Yes

- 13) Will this rulemaking replace an emergency rule currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Home Services Program rule has been amended to implement the federally approved Medicaid Waiver program for persons with a brain injury. Amendments include new language in Section 684.70. Also included are revisions to 684.20 that add a new paragraph on the customer's responsibilities in hiring a personal attendant.
- 16) Information and answers to questions regarding this adopted amendment shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor, Harris Bldg.
Springfield, Illinois 62762
(217)785-9772

The full text of adopted amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER 6: HOME SERVICES PROGRAM

PART 684
SERVICE PLANNING AND PROVISION

Section

- 684.10 Service Plan
684.20 Procuring an Appropriate Service Provider
684.30 Family Members as Service Providers
684.40 Distribution of the Service Plan
684.50 Service Plan Content
684.60 Provision of Services
684.70 Service Planning Limitations
684.80 Interim Services
684.90 Coordination of HSP and Other Services
684.100 Denial or Termination of HSP Services

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5129, effective March 21, 1995; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325, amended at 22 Ill. Reg. 6470, effective October 1, 1996; amended at 23 Ill. Reg. 6470, effective MAY 17 1999.

Section 684.10 Service Plan

- a) All services to be provided to a customer an individual through HSP must be necessary to meet an unmet care need of the individual or to provide relief to the caregiver for customers individuals eligible for respite care services and listed on a HSP Service Plan which is developed for the customer individual, agreed to and signed by the customer and counselor.
- b) Services provided through HSP to a customer individual must be:
 - 1) safe and adequate;
 - 2) cost effective; and
 - 3) the most economical in terms of the customer's individual's needs, unless a service is not available at the most economical level. In such instances, the next higher service level may be used as long as services remain within the SCM established for the customer individual. Documentation of an ongoing effort to locate services at the appropriate level must be in the customer's individual's case file.
- c) The initial HSP Service Plan for a customer individual must be submitted with all other necessary forms to the customer's

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individual's physician during the eligibility determination phase of the case (89 Ill. Adm. Code 682.100(g)) for the purpose of review and approval of the plan for care by the physician.

(Source: Amended MAY 17 1999 at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.20 Procuring an Appropriate Service Provider

- a) the customer and the counselor share the responsibility to locate an appropriate service provider.

ab) The counselor has the responsibility to identify the appropriate level of service provider based on the customer's individual's approval of the initial service plan.

- b) A customer has complete discretion in which Personal Assistant he/she wishes to hire, as long as the PA meets the conditions of Section 684.30. A customer is responsible for all stages of the interview and selection process, including the decision of which candidates to interview, the scope of the interview, whether to request a conviction background check, and the timing of the selection decisions. If requested by the customer, the counselor shall assist in identifying available resources for referral of Personal Assistant candidates for the customer to interview.

(Source: Amended at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.30 Family Members as Service Providers

- a) Legally responsible family members (89 Ill. Adm. Code 676.30) or a family member for whom the customer individual is legally responsible (father, spouse, child) may not be paid through HSP to be service providers. Specifically, these individuals are:

- 1) a spouse;
 - 2) a parent of a minor child; and
 - 3) a minor child of the customer individual receiving services.
- Other relatives (i.e., aunts, uncles, first cousins, grandparents, siblings) may be paid to provide services to a customer individual only when:

- 1) no other appropriate service providers can be located. The case file must contain documentation that a serious and ongoing effort is being made to locate another appropriate service provider; or
 - 2) the counselor has determined, based on documentation in the case file, that the family member is the most appropriate service provider due to the care involved or the circumstances.
- c) Individuals with a lesser less degree of relationship to the customer shall not be considered family members for the purpose of providing services.

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(Source: Amended at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.40 Distribution of the Service Plan

A copy of the approved HSP Service Plan for the customer individual must be given to the customer and each service provider, and a copy must be retained for the case file.

(Source: Amended at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.50 Service Plan Content

The HSP Service Plan shall include the type of service(s) to be provided to the customer individual, the specific tasks involved, the frequency with which the specific tasks are to be provided, the number of hours each task is to be provided per month, the rate of payment for the service(s), and, if the customer individual is receiving PA services, the customer's plan for backup if the usual PA is not available to provide the services and the next planned date for redetermination.

(Source: Amended at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.70 Service Planning Limitations

- For customers individuals served through the standard Medicaid Waiver, all services listed on the Service Plan must be necessary to meet an unmet care need of the individual or, for respite cases, to provide relief to the caregiver, and must be within the SCM for the DON score attained by the customer individual as a result of the determination or redetermination of eligibility.
- For customers individuals receiving services through the Medicaid Waiver for Persons with AIDS, all services listed on the Service Plan must be necessary to meet an unmet care need of the customer individual or, for respite cases, to provide relief to the caregiver, and must be within the SCM for the DON score attained by the customer individual as a result of the determination or redetermination of eligibility.
- The SCM may be exceeded for ventilator assisted individuals (VAIs) who are receiving HSP services but have had established, through DPA, a higher rate less the cost of supplies and equipment established by DPA for institutional placement. In such cases, the amount that may be expended for HSP services shall not exceed the special care rate established for that customer individual by DPA.
- For individuals served through the Medicaid Waiver for Persons with Brain Injury, all services listed on the Service Plan must be

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necessary to provide a package of HSP services, including the specific community based services, to meet their unmet service needs. The cost of the services must be within the SCM for the DON score attained by the individual as a result of the determination or redetermination of eligibility.

(Source: Amended at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.80 Interim Services

Prior to determination of eligibility (89 Ill. Adm. Code 682), the customer individual may receive interim services while an official determination of eligibility (89 Ill. Adm. Code 682) is being completed if enough information exists to presumptively establish eligibility based on:

- DON score;
- evidence of a disability as described at 89 Ill. Adm. Code 682.100(e) based on medical documentation, counselor observation, or oral information received from a knowledgeable medical professional;
- the customer's individual's financial eligibility, per 89 Ill. Adm. Code 682; Subpart C;
- the customer's individual meeting meets all eligibility criteria as listed in 89 Ill. Adm. Code 682; and
- written or verbal approval of the interim service plan from the customer's individual's physician, or neuro-psychologist for a person with brain injury, based upon as to the appropriateness and safety of the interim service plan agreed to and signed by the customer and the counselor.

(Source: Amended at 23 Ill. Reg. 6470, effective MAY 17 1999)

Section 684.90 Coordination of HSP and Other Services

- During any period covered by a DHS-ORS Vocational Rehabilitation (VR) Program (89 Ill. Adm. Code: Subchapter a) Individualized Written Rehabilitation Program (IWRP) (89 Ill. Adm. Code 572) which is developed to allow the provision of training services to a customer individual; no services through HSP may be provided. If the customer individual has an active HSP case and is receiving services at the time the IWRP commences, the customer's individual's HSP case must be moved to inactive status or closed.
- Services may be provided to a customer individual receiving those VR services described in subsection (a) above, during breaks from the training facility as long as no duplicate services are being provided through the VR Program.
- No HSP services may be provided to an individual who is a student under the age of 21 during the hours covered by the individual's

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- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register:

December 28, 1998, 22 Ill. Reg. 22177.

10) Has JCAR issued a Statement of Objections to this rule? No

11) Differences between proposal and final version:

1. In Section 229.100, replaced "0" to "0".
2. In Section 229.102, inserted a comma in "2,000".
3. In Section 229.104, inserted "26A," after "26,".
4. In Sections 229.115, 229.116, and 229.120, changed "within 6 months after the Board's approval of this Part" to "on or before November 15, 1999",.
5. In Section 229.120, deleted "not" and inserted "first", and deleted "under Section 39.5 of the" and inserted "because it is subject to the emission limits in this Part".
6. In Section 229.120, changed "no more than 3 years" to "3 or more years".
7. In Section 229.120, deleted "Act [415 ILCS 5/39.5]".
8. In Section 229.125, replaced "emissions" with "emission".
9. In Section 229.126, replaced "six" with "6".
10. In Section 229.140, deleted "and".
11. In Section 229.140, inserted "3) Conduct testing during periods that are inclusive of maximum emissions of the HMIWI and not during periods of startup, malfunction, or shutdown; and".
12. In Section 229.140, replaced "3)" with "4)".
13. In Section 229.140, deleted "or .25 lb".
14. In Section 229.140, after "operation", inserted "and include maximum emissions".

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15. In Section 229.142, replaced "emissions" with "emission".
16. In Section 229.170, inserted "to" after "order".
17. In Section 229.176, changed "f)" to "h)".
18. In Sections 229.176 and 229.182, changed "the effective date of this regulation" to "May 15, 1999".
19. In Sections 229.182 and 229.184, changed "exceedances" to "exceedences".
20. In Section 229.182, changed "Sections" to "Section", and added a comma after "training".
21. In Section 229.Appendix A, replaced "Octachlorinated" with "octachlorinated".
22. In Section 229.Appendix C, inserted "or 26A" after "26".
23. In the Table of Contents, added "229.181 Waste Management Plan Requirements for Other HMIWIs".
24. Added "Section 229.181 Waste Management Plan Requirements for Other HMIWIs The owner or operator of an HMIWI that is subject to emission limits in Subpart E of this Part, but is not subject to the waste management plan provisions of Sections 229.176 or 229.180 of this Subpart, shall develop a waste management plan in accordance with this Section."
- (a) The owner or operator of an HMIWI subject to this Section shall conduct an assessment of its current waste management program and submit a waste management plan to the Agency, in accordance with Section 229.184(b) of this Part, that:
 - (1) Identifies, pursuant to subsection (b) of this Section, the additional technically and economically feasible measures for reducing the volume and toxicity of the waste to be incinerated; and
 - (2) Where practical, outlines a schedule for the implementation of the selected measures.
- (b) In identifying additional technically and economically feasible waste management practices, the owner or operator shall consider:
 - (1) Segregating waste streams;

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- (2) Phasing out the use of products containing toxic materials;

- (3) Reusing products and equipment;

- (4) Reducing the use of packaging and disposable items;

- (5) Collecting recyclable materials; and

- (6) Improving inventory control, training and housekeeping practices.

(c) In assessing its current waste management practices, the facility shall consider technical information on alternative waste management practices, such as the American Hospital Association publication entitled "An Ounce of Prevention: Waste Management Strategies for Health Care Facilities," incorporated by reference at Section 229.104(a) of this Part.

(d) Any waste management plan that has been developed by a facility subject to this Section before the effective date of this regulation may be incorporated into the waste management plan required for that facility, to the extent that such a plan is consistent with the requirements of this Section.

(e) The waste management plan shall be updated every 5 years to coincide with either the issuance or renewal of the facility's CAAPP permit."

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes

- 13) Will this rule replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rules: A more detailed description of this Section 28.5 fast-track rulemaking is included in the Board's May 6, 1999, opinion and order in docket R99-10, which is available from the address below. Specifically, the rule establishes requirements for the control of emissions from hospital, medical, and infectious waste incinerators (HMIWIs) where construction, reconstruction, or modification began on or before June 20, 1996. It requires owners and operators of HMIWIs to meet specified emission limits for carbon monoxide, sulfur dioxide, nitrogen oxides, lead, cadmium, mercury, particulate matter, dioxin/furans and hydrogen chloride. The rule also requires that waste management plans be created by hospitals using on-site incinerators, by hospitals using off-site incinerators, by HMIWIs accepting waste generated off-site, and by HMIWIs subject to the emission limits in the rule, but not subject to the provisions regarding hospitals that use on-site incinerators or HMIWIs

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accepting waste generated off-site.

- 16) Information and questions regarding this adopted rule shall be directed to:

Catherine F. Glenn
100 W. Randolph Street
James R. Thompson Center
Suite 11-500
Chicago, IL 60601
312/814-6293

Copies of the Board's opinions and orders may be requested from the Clerk of the Board at the address above. Please refer to the Docket number R99-10 in your request.

The full text of the adopted rules begins on the next page:

6482		ILLINOIS REGISTER		6483	
				99	
TITLE 35: ENVIRONMENTAL PROTECTION		POLLUTION CONTROL BOARD			
SUBTITLE B: GENERAL PROVISIONS		NOTICE OF ADOPTED RULES			
CHAPTER 1: POLLUTION CONTROL BOARD		SUBPART H: COMPLIANCE REQUIREMENTS			
SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES		Initial Performance Testing and Establishment of Operating Parameters			
		Subsequent Performance Testing for All HMIWIs			
		Annual Testing for Opacity			
		Annual Performance Testing for Small, Medium and Large HMIWIs			
		Compliance with Operating Parameter Values			
		Compliance Requirements for HMIWIs Using CEMS			
		Violations by HMIWIs Equipped with a Dry Scrubber Followed by a Fabric Filter			
		Violations by HMIWIs Equipped with a Wet Scrubber			
		Violations by HMIWIs Equipped with a Dry Scrubber Followed by a Fabric Filter and a Wet Scrubber			
		Compliance Requirements for Rural HMIWIs			
		Inspection Requirements for Rural HMIWIs			
		Optional Performance Testing to Address Actual or Potential Violations			
		SUBPART I: MONITORING REQUIREMENTS			
		Monitoring Requirements for Small, Medium, and Large HMIWIs			
		Monitoring Requirements for Rural HMIWIs			
		SUBPART J: REQUIREMENTS FOR HMIWI OPERATORS			
		Operator Training and Qualification Requirements			
		Documentation To Be Maintained On-Site For Employees Operating HMIWIs			
		SUBPART K: WASTE MANAGEMENT PLAN REQUIREMENTS			
		Waste Management Plan Requirements for Hospitals Using On-Site Incinerators			
		Waste Management Plan Requirements for Hospitals Transporting Waste Off-Site to an HMIWI			
		Waste Management Requirements for HMIWIs Accepting Waste Generated Off-Site			
		Waste Management Plan Requirements for Other HMIWIs			
		SUBPART L: RECORDKEEPING AND REPORTING REQUIREMENTS			
		Recordkeeping Requirements			
		Reporting Requirements			
		Toxic Equivalency (TEQ) Factors			
		APPENDIX A			

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APPENDIX B Operating Parameters to Be Monitored and Minimum Measurement and Recording Frequencies

APPENDIX C Reference Test Methods and Procedures for Performance Tests

AUTHORITY: Implementing Sections 10, 39 and 39.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27, 39 and 39.5].

SOURCE: Adopted at 23 Ill. Reg. ~~647.3~~ effective MAY 15 1999.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by parentheses; subscripts are denoted by brackets.

SUBPART A: GENERAL PROVISIONS

Section 229.100 Abbreviations

The following abbreviations have been used in this Part:

Act	Illinois Environmental Protection Act [415 ILCS 5]
Agency	Illinois Environmental Protection Agency
Board	Illinois Pollution Control Board
Btu	British thermal units
CAAPP	Clean Air Act Permit Program [415 ILCS 5/39.5]
CEMS	Continuous Emissions Monitoring System
CO	carbon monoxide
Cd	cadmium
dscf	dry standard cubic foot
dscm	dry standard cubic meter
ft(3)	cubic feet
HCl	hydrogen chloride
Hg	mercury
HMTW	hospital/medical/infectious waste incinerator
hr	hour
lb(s)	pound(s)
mg	milligrams
NO(x)	Nitrogen Oxide
Pb	lead
PM	particulate matter
ppmv	parts per million by volume
SO ₂	Sulfur Dioxide
TQO	toxic equivalency
USEPA	United States Environmental Protection Agency

Section 229.102 Definitions

The definitions contained in this Section apply only to the provisions of this

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Part. Unless otherwise defined herein and unless a different meaning of a term is clear from its context, the definitions of terms used in this Part shall have the meanings specified for those terms in 415 ILCS 5/39.5, 35 Ill. Adm. Code 201.102 or 35 Ill. Adm. Code 211.

"Batch HMTW" means an HMTW that is designed in such a way that neither waste charging nor ash removal can occur during combustion.

"Biologicals" means preparations made from living organisms and their products, including vaccines, cultures, etc., intended for use in diagnosing, immunizing, or treating humans or animals or in research pertaining thereto.

"Body fluids" means liquid emanating or derived from humans and limited to: blood; dialysate; amniotic, cerebrospinal, synovial, pleural, peritoneal and pericardial fluids; semen and vaginal secretions.

"Bypass stack" means an alternative stack used for discharging combustion gases to the atmosphere primarily to avoid severe damage to an air pollution control device or other equipment.

"Charge" means the act of placing waste into an HMTW for incineration.

"Chemotherapeutic waste" means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

"Co-fired combustor" means a unit combusting hospital waste or medical/infectious waste with other fuels or wastes (e.g., coal, municipal solid waste) and subject to an enforceable requirement limiting the unit to combusting a fuel feed stream, of which 10 percent or less of the weight is comprised, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis. For purposes of this definition, pathological waste, chemotherapeutic waste, and low-level radioactive waste are considered "other" wastes when calculating the percentage of hospital waste and medical/infectious waste combusted.

"Continuous emission monitoring system" or "CEMS" means a monitoring system for continuously measuring and recording the emissions of a pollutant from an affected facility.

"Continuous HMTW" means an HMTW that is designed to allow waste charging and ash removal during combustion.

"Dioxins/furans" means the total emissions of any tetra- through

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octa-chlorinated dibenzo-para-dioxins and dibenzofurans, as measured by EPA Reference Method 23, incorporated by reference in Section 229.104(d) of this Subpart.

"Dry scrubber" means an add-on air pollution control system that injects dry alkaline sorbent (dry injection) or sprays an alkaline sorbent (spray dryer) to react with and neutralize acid gases in an HMIWI exhaust stream, forming a dry powder material.

"Fabric filter" means an add-on air pollution control system that removes PM and nonvolatile metals emissions by passing flue gas through filter bags.

"Facilities manager" means the individual in charge of purchasing, maintaining, and operating an HMIWI, or the owner's or operator's representative responsible for the management of an HMIWI. Alternative titles may include director of facilities or vice president of support services.

"High air phase" means the stage of the batch operating cycle when the primary chamber reaches and maintains maximum operating temperatures.

"Hospital" means any facility that has an organized medical staff, maintaining at least 6 inpatient beds and where the primary function of the facility is to provide diagnostic and therapeutic patient services and continuous nursing care primarily to human inpatients who are not related and who stay on average in excess of 24 hours per admission. This definition does not include facilities maintained for the sole purpose of providing nursing or convalescent care to human patients who generally are not acutely ill but who require continuing medical supervision.

"Hospital/medical/infectious waste incinerator" or "HMIWI" means any device that combusts any amount of hospital waste or medical/infectious waste.

"Hospital waste" means discards generated at a hospital, except unused items returned to the manufacturer. The definition of hospital waste does not include human corpses, remains, or anatomical parts that are intended for interment or cremation.

"HMIWI operator" means any person who operates, controls, or supervises the day-to-day operation of an HMIWI.

"Infectious agent" means any organism that is capable of being communicated by invasion and multiplication in body tissues and is also capable of causing disease or adverse health impacts in humans.

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"Intermittent HMIWI" means an HMIWI that is designed to allow waste charging, but not ash removal, during combustion.

"Large HMIWI" means:

An HMIWI whose maximum design waste burning capacity is more than 500 lbs per hour; or

A continuous or intermittent HMIWI whose maximum charge rate is more than 500 lbs per hour; or

A batch HMIWI whose maximum charge rate is more than 4,000 lbs per day.

"Low-level radioactive waste" means waste that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 USC 2014(e)(2)).

"Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or of a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

"Maximum charge rate" means:

For continuous and intermittent HMIWI, 110 percent of the lowest 3-hour average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limits specified in Subpart E of this Part.

For batch HMIWI, 110 percent of the lowest daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limits specified in Subpart E of this Part.

"Maximum design waste burning capacity" means:

For intermittent and continuous HMIWI:

$$C = P[V] \times 15,000/8,500$$

Where:

C = HMIWI capacity, lb/hr

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P[V] = primary chamber volume, ft(3)
 15,000 = primary chamber heat release rate factor,
 Btu/ft³/hr
 8,500 = standard waste heating value, Btu/lb;

For batch HMIWI:

$$C = P[V] \times 4.5/8$$

Where:

C = HMIWI capacity, lb/hr
 P[V] = primary chamber volume, ft(3)
 4.5 = waste density factor, lb/ft(3)
 8 = typical hours of operation of a batch HMIWI,
 hours.

"Maximum fabric filter inlet temperature" means 110 percent of the lowest 3-hour average temperature at the inlet to the fabric filter (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable dioxin/furan emission limit specified in Subpart E of this Part.

"Maximum flue gas temperature" means 110 percent of the lowest 3-hour average temperature at the outlet from the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable Hg emission limit specified in Subpart E of this Part.

"Medical/infectious waste" means any waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals. The definition of medical/infectious waste does not include hazardous waste identified or listed under the regulations in 40 CFR 261.4(b)(1); household waste, as defined in 40 CFR 261.4(b)(1); and domestic sewage materials identified in 40 CFR 261.4(a)(1). For the purposes of this Part, medical/infectious waste includes:

Cultures and stocks of infectious agents and associated biologicals, including: vaccines and cultures intended for use in diagnosing, immunizing, or treating humans or animals; cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; and discarded live and attenuated vaccines;

Human pathological waste, including tissues, organs, and body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and

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their containers;

Human blood, any products derived from human blood, or anything that has been in contact with human blood in any form;

Intravenous bags and associated tubing;

Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), pasteur pipettes, scalpel blades, blood vials, and needles with attached tubing;

Culture dishes, regardless of the presence of infectious agents, and culture dishes and devices used to transfer, inoculate, and mix cultures;

Any type of broken or unbroken glassware that has been in contact with infectious agents;

Animal waste, including contaminated animal carcasses, body parts, bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals or testing of pharmaceuticals;

Isolation wastes, including biological waste and discarded materials contaminated with blood, excretions, exudates, or secretions from humans who are isolated to protect others from highly communicable diseases, or isolated animals known to be infected with highly communicable diseases; and

Unused sharps, including the following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

"Medium HMIWI" means:

An HMIWI whose maximum design waste burning capacity is more than 200 lbs per hour but less than or equal to 500 lbs per hour; or

A continuous or intermittent HMIWI whose maximum charge rate, as set by permit, is more than 200 lbs per hour but less than or equal to 500 lbs per hour; or

A batch HMIWI whose maximum charge rate, as set by permit, is more than 1,600 lbs per day but less than or equal to 4,000 lbs per day.

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"Minimum dioxin/furan sorbent flow rate" means 90 percent of the highest 3-hour average dioxin/furan sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the applicable dioxin/furan emission limit specified in Subpart E of this Part.

"Minimum Hg sorbent flow rate" means 90 percent of the highest 3-hour average Hg sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the applicable Hg emission limit specified in Subpart E of this Part.

"Minimum HCl sorbent flow rate" means 90 percent of the highest 3-hour average HCl sorbent flow rate (taken, at a minimum, once every hour) measured during the most recent performance test demonstrating compliance with the applicable HCl emission limit specified in Subpart E of this Part.

"Minimum horsepower" or "minimum amperage" means 90 percent of the highest 3-hour average horsepower or amperage to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable emission limits specified in Subpart E of this Part.

"Minimum pressure drop across the wet scrubber" means 90 percent of the highest 3-hour average pressure drop across the wet scrubber PM control device (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable PM emission limit specified in this Subpart E of this Part.

"Minimum scrubber liquor flow rate" means 90 percent of the highest 3-hour average liquor flow rate at the inlet to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable emission limits specified in Subpart E of this Part.

"Minimum scrubber liquor pH" means 90 percent of the highest 3-hour average liquor pH at the inlet to the wet scrubber (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable HCl emission limit specified in Subpart E of this Part.

"Minimum secondary chamber temperature" means 90 percent of the highest 3-hour average secondary chamber temperature (taken, at a minimum, once every minute) measured during the most recent performance test demonstrating compliance with the applicable PM, CO, and dioxin/furan emission limits specified in Subpart E of this Part.

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"Operating day" means a 24-hour period between 12:00 midnight and the following midnight during which any amount of hospital waste or medical/infectious waste is combusted at any time in an HMIWI.

"Operation" means any period during which waste is combusted in an HMIWI, excluding periods of startup or shutdown.

"Pathological waste" means waste material consisting of only human or animal remains, anatomical parts, tissue, and the bags or containers used to collect and transport the waste material and associated animal bedding, if applicable.

"Primary chamber" means the chamber in an HMIWI that receives waste material, in which the waste is ignited, and from which ash is removed.

"Rural HMIWI" means any HMIWI identified in Section 229.110(a) of this Part, that is located more than 50 miles from the boundary of the nearest Standard Metropolitan Statistical Area, as defined in OMB Bulletin No. 93-17, incorporated by reference at Section 229.104(b) of this Part, meets the criteria specified in the definition of "small HMIWI" and burns less than 2,000 lbs per week of hospital waste and medical/infectious waste (except the 2,000 lbs per week limitation does not apply during performance testing).

"Secondary chamber" means that component of an HMIWI that receives combustion gases from the primary chamber and in which the combustion process is completed.

"Shutdown" means the period of time after all waste has been combusted in the primary chamber.

"Small HMIWI" means:

An HMIWI whose maximum design waste burning capacity is less than or equal to 200 lbs per hour; or

A continuous or intermittent HMIWI whose maximum charge rate, as set by permit, is less than or equal to 200 lbs per hour; or

A batch HMIWI whose maximum charge rate, as set by permit, is less than or equal to 1,600 lbs per day.

"Startup" means the period of time between the activation of an HMIWI and the first charge of waste to the unit. For batch HMIWI, startup means the period of time between activation of an HMIWI and ignition of the waste.

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"Wet scrubber" means an add-on air pollution control device that utilizes either an alkaline or some other type of scrubbing liquor to collect pollutants and/or neutralize acid gases.

Section 229.104 Incorporations by Reference

The following materials are incorporated in this Part by reference. These incorporations by reference do not include any later amendments or editions.

- "An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities," American Society for Healthcare Environmental Services, 840 North Lake Shore Drive, Chicago, Illinois 60611 (1993).
- "Revised Statistical Definitions for Metropolitan Areas," OMB Bulletin No. 93-17, Office of Management and Budget, Washington, D.C. (June 30, 1993).
- 40 CFR 60.8.
- 40 CFR 60, Appendix A, Methods 1, 2, 3, 4, 5, 9, 10, 10B, 23, 26, 26A, 29.
- 40 CFR 60, Appendices B and F.

SUBPART B: APPLICABILITY

Section 229.110 General Applicability

- This Part applies to all HMIWI's for which construction commenced either on or before June 20, 1996, except as provided for in subsections (b), (c), (d) and (e) of this Section and Section 229.112 of this Subpart.
- An HMIWI otherwise subject to the emission limits in this Part is only subject to the recordkeeping requirements set forth in Section 229.182(b), (f) and (g) of this Part during those periods when it combusts only pathological waste, low-level radioactive waste, or chemotherapeutic waste, provided the owner or operator of the HMIWI notifies the Agency of its intention to operate pursuant to this operating scenario in its CAAPP application submitted in accordance with either Section 229.115(b)(1), Subpart D of this Part, or Section 39.5 of the Act.

- An HMIWI that combusts only pathological waste, low-level radioactive waste, or chemotherapeutic waste is subject to only the recordkeeping requirements set forth in Section 229.182(c), (f) and (g) of this Part provided that the owner or operator of an HMIWI provides, by December 15, 1999, both the Agency and the USEPA with a written certification of its status as an HMIWI burning only the wastes listed in this subsection.

- A co-fired combustor is subject only to the recordkeeping requirements set forth in Section 229.182(d), (f) and (g) of this Part, provided that the owner or operator of the combustor is subject to a permit condition limiting its fuel feed stream to co-fired combustor status, provides, by December 15, 1999, both the Agency and USEPA with a

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written certification of its status as a co-fired combustor, including an estimate of the relative weight of hospital waste, medical/infectious waste, and other fuels and/or waste combusted at the facility.

- Any hospital that does not operate an HMIWI but that sends any of its hospital waste or medical/infectious waste to an off-site HMIWI is subject only to the waste management plan provisions set forth at Section 229.178 of this Part.

Section 229.112 Exemptions

Notwithstanding other provisions of this Part, the following emission units are exempt from the requirements of this Part:

- Any combustor required to have a permit under Section 3005 of the Solid Waste Disposal Act, 42 U.S.C. 6925;
- Any municipal waste combustor that meets the applicability provisions for municipal waste combustors under Subparts Cb, Ba or Eb of 40 CFR 60;
- Any pyrolysis unit (i.e., a unit that uses endothermic gasification to treat hospital waste or medical/infectious waste in order to render such waste harmless);
- Any cement kiln firing hospital waste or medical/infectious waste; or
- Any HMIWI subject to the *Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction Is Commenced After June 20, 1996*, contained in Subpart Ec of 40 CFR 60.50c.

SUBPART C: COMPLIANCE SCHEDULES

Section 229.115 Compliance Schedules for HMIWI's That Will Continue to Operate

- Except as provided in subsection (b) of this Section and unless another date is specified in the provisions of this Part, all owners or operators of HMIWI's shall be in compliance with all of the provisions of this Part by September 15, 2000.
- Except as provided in subsection (c) of this Section, the owner or operator of an HMIWI may have up to September 15, 2002, to come into compliance with this Part. To avail themselves of this extended compliance timeframe, the owner or operator of an HMIWI shall:

- 1) Submit its CAAPP application to the Agency, on or before November 15, 1999, requesting an extended compliance schedule, pursuant to Section 39.5(f)(d) of the Act, [415 ILCS 5/39.5(f)(d)]. This compliance schedule shall include documentation supporting the need for an extension, a final control plan for the HMIWI and incremental steps to be taken toward compliance with this Part that, at a minimum, meet the increments of progress specified in subsection (b)(2) of this Section;
- 2) Meet the following increments of progress by the dates indicated:

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- A) Finalize all contracts for the purchase of either pollution control equipment, process modification or control systems by February 29, 2000;
- B) Commence the implementation of either the process modifications or the necessary construction or installation of air pollution control devices for the HMIWI by November 30, 2000;
- C) Complete either the process modifications or the installation or construction of the new air pollution control equipment by August 31, 2001;
- D) Perform initial startup of the retrofitted HMIWI by January 15, 2002; and
- E) Complete the initial performance test in accordance with Section 229.142 of this Part within 180 days after initial startup.
- C) Any owner or operator of an HMIWI that fails to demonstrate compliance with this Part by September 15, 2002, shall cease operation of the HMIWI until compliance with the provisions of this Part is achieved.
- d) Notwithstanding subsection (b) of this Section, all owners or operators of HMIWIs shall be in full compliance with all of the HMIWI operator provisions of Subpart J of this Part by September 15, 2000.

Section 229.116 Compliance Schedules for HMIWIs That Will Shut Down

All owners or operators of HMIWIs that intend to permanently shut down their HMIWI as a means of complying with this Part shall:

- a) Provide the Agency with written notice of their intention to permanently shut down their HMIWI on or before November 15, 1999; and
- b) Take the following affirmative steps to demonstrate that the HMIWI has been rendered permanently inoperable by September 15, 2000:
- 1) Weld the primary chamber door shut;
 - 2) Dismantle the HMIWI; or
 - 3) Other means that reasonably demonstrate that the HMIWI is no longer functional.

SUBPART D: CAAPP PERMIT REQUIREMENTS

Section 229.120 CAAPP Permit Requirements

- a) All HMIWIs subject to the emissions limits in this Part shall operate pursuant to a CAAPP permit by September 15, 2000.
- b) For any HMIWI subject to the emission limits in this Part that is first required to obtain a CAAPP permit because it is subject to the emission limits in this Part, the owner or operator shall submit a complete application for a CAAPP permit by September 15, 2000, except as provided for in Section 229.115(b)(1) of this Part.
- c) Upon submittal of a timely and complete CAAPP application, the owner or operator of an HMIWI shall not be in violation of the requirement,

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specified in subsection (a) of this Section, to have a CAAPP permit, to the extent provided in Section 39.5(h) of the Act (415 ILCS 5/39.5)(b)(1).

- d) For any HMIWI that currently has a CAAPP permit, the following conditions apply:

- 1) If the CAAPP permit has 3 or more years remaining on the permit term, the owner or operator of an HMIWI shall apply for revision to the CAAPP permit to incorporate the applicable requirements of this Part on or before November 15, 1999; or
- 2) If the CAAPP permit has less than 3 years remaining on the permit term, the CAAPP permit shall be revised to incorporate the applicable requirements of this Part, upon renewal of the permit.

SUBPART E: EMISSION LIMITS

Section 229.125 Emission Limits for Small, Medium, and Large HMIWIs

- a) The emission limits in this Section shall apply to HMIWIs identified in Section 229.110(a) at all times, except as provided in Section 229.110(b) of this Part, Section 229.126 of this Subpart and Subpart F of this Part.
- b) The emission limits for small, medium, and large HMIWIs are as follows:

Pollutant	Units (% oxygen, dry basis)	HMIWI EMISSION LIMITS		
		Small	Medium	Large
PM	mg per dscm (grains per dscf)	115 (0.05)	69 (0.03)	34 (0.015)
CO	ppmv	40	40	40
Dioxins/ Furans	Nanograms per dscm, total dioxins/furans (grains per billion dscf), or nanograms per dscm TEQ (grains per billion dscf)	125 (55) or 2.3 (1.0)	125 (55) or 2.3 (1.0)	125 (55) or 2.3 (1.0)
HCl	ppmv or percent reduction	100 or 93%	100 or 93%	100 or 93%
SO ₂	ppmv	55	55	55

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NO(x)	ppmv	250	250	250
Pb	mg per dscm (grains per thousand dscf) or percent reduction	1.2 (0.52) or 70%	1.2 (0.52) or 70%	1.2 (0.52) or 70%
Cd	mg per dscm (grains per thousand dscf) or percent reduction	0.16 (0.07) or 65%	0.16 (0.07) or 65%	0.16 (0.07) or 65%
Hg	mg per dscm (grains per thousand dscf) or percent reduction	0.55 (0.24) or 85%	0.55 (0.24) or 85%	0.55 (0.24) or 85%

c) No owner or operator of a small, medium, or large HMIWI shall cause or allow any emissions that cause greater than 10 percent opacity, as measured on a 6 minute block average, according to Method 9, 40 CFR 60, Appendix A, incorporated by reference at Section 229.104(d) of this Part, from any stack used by an HMIWI.

Section 229.126 Emission Limits For Rural HMIWIs

a) Notwithstanding the emission limits set out in Section 229.125 of this Part, any rural HMIWI shall comply with the emission limits set out in subsection (b) of this Section. The emission limits under this Section shall apply at all times, except as provided for in Section 229.110(b) and Subpart F of this Part.

b) The emission limits for rural HMIWI are as follows:

Pollutant	Units (% oxygen, dry basis)	EMISSION LIMITS
PM	mg per dscm (grains per dscf)	197 (0.086)
CO	ppmv	40
Dioxin/ Furans	nanograms per dscm total dioxins/ furans (grains per billion dscf), or nanograms per dscm TEQ (grains per billion dscf)	800 (350) or 15 (6.6)
HCL	ppmv	3100

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SO(2)	ppmv	55
NO(x)	ppmv	250
Pb	mg per dscm (grains per thousand dscf)	10 (4.4)
Cd	mg per dscm (grains per thousand dscf)	4 (1.7)
Hg	mg per dscm (grains per thousand dscf)	7.5 (3.3)

c) No owner or operator of a rural HMIWI shall cause or allow any emissions that cause greater than 10 percent opacity, as measured on a 6 minute block average, according to Method 9, 40 CFR 60, Appendix A, incorporated by reference at Section 229.104(d) of this Part, from any stack used by an HMIWI.

SUBPART F: EXCEPTIONS FROM EMISSION LIMITS

Section 229.130 Operation During Periods of Startup, Shutdown, or Malfunction

a) The emission limits specified in Subpart E of this Part do not apply to an HMIWI during periods of startup, shutdown or malfunction, if the requirements provided in subsections (b), (c) and (d) of this Section are met.

b) No waste shall be charged to an HMIWI during periods of startup, shutdown or malfunction.

c) The shutdown of any HMIWI shall proceed according to the following requirements:

- 1) For continuous HMIWIs, shutdown may commence no less than 2 hours after the last charge to an HMIWI;
- 2) For intermittent HMIWIs, shutdown may commence no less than 4 hours after the last charge to an HMIWI; and
- 3) For batch HMIWIs, shutdown may commence no less than 5 hours after the high air phase of combustion has been completed.

d) During periods of malfunction, the owner or operator of an HMIWI shall do all of the following:

- 1) Take all reasonable steps to ensure that an HMIWI operates within the parameters established for that HMIWI and to minimize excess emissions;
- 2) Continue monitoring all applicable parameters; and
- 3) Take appropriate corrective actions prior to resuming the charging of any waste to an HMIWI.

SUBPART G: METHODS AND PROCEDURES FOR PERFORMANCE TESTING

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Section 229.140 Methods and Procedures for Performance Testing

This Section applies during all performance tests.

- a) The owner or operator of an HMIWI shall provide, or cause to be provided, the facilities for emission testing specified in 40 CFR 60.8(e), incorporated by reference at Section 229.104(c) of this Part.
- b) When conducting a performance test for an HMIWI, the owner or operator shall:
 - 1) Test an HMIWI at the waste charging rate specified in its permit or, if no permit has been issued, in its permit application;
 - 2) Burn representative waste streams that are typically combusted in that HMIWI;
 - 3) Conduct testing during periods that are inclusive of maximum emissions of the HMIWI and not during periods of startup, malfunction, or shutdown; and
 - 4) Weigh the amount of waste combusted for each run of the performance test before charging the waste to an HMIWI to within 1.0 percent accuracy.
- c) The owner or operator of an HMIWI shall submit a test plan to the Agency at least 45 days before conducting a performance test pursuant to this Part. Performance test plans shall include the following:
 - 1) The proposed date of the performance test;
 - 2) A roster of testing personnel, which provides information concerning their testing experience;
 - 3) A description of the specific conditions under which the test will be performed, including, at a minimum:
 - A) Why these conditions will be representative of the operation and include maximum emissions of the HMIWI; and
 - B) The means by which the operating parameter values will be determined;
 - 4) A technical description of the HMIWI being tested;
 - 5) The parameters and pollutants that will be monitored during the performance test; and
 - 6) The quality assurance procedures that will be followed during the performance test.

- d) The owner or operator of an HMIWI shall give the Agency 5 days written notice prior to actually conducting any performance testing required by the provisions of this Part.
- e) Testing conducted pursuant to this Part shall be according to the procedures and test methods specified for the measurement of each pollutant in Appendix C of this Part.
- f) Notwithstanding subsection (e) of this Section, alternate testing methods may be used if approved by the Agency in a permit and approved by USEPA.
- g) Any use of a bypass stack during a performance test shall invalidate the results of that run.

SUBPART H: COMPLIANCE REQUIREMENTS

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Section 229.142 Initial Performance Testing and Establishment of Operating Parameters

The owner or operator of an HMIWI subject to the emissions limits under this Part shall comply with the following requirements:

- a) Except as provided in Section 229.115(b)(2)(E) of this Part, conduct an initial performance test on their HMIWI by September 15, 2000;
- b) Except as provided in subsection (c) of this Section, in the initial performance test, test for all pollutants limited pursuant to Subpart E of this Part;
- c) During the initial performance test, rural HMIWIs are not required to test for HCl, Pb or Cd;
- d) If an HMIWI is equipped with a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and wet scrubber, establish the appropriate maximum and minimum operating parameter values indicated in Appendix B of this Part for the relevant control system during the initial performance test, provided that the performance test demonstrates compliance with the emission limits specified in Section 229.125 of this Part;
- e) If air pollution control equipment other than a dry scrubber followed by a fabric filter, a wet scrubber, or dry scrubber followed by a fabric filter and a wet scrubber is used to comply with the emission limits under Section 229.125 of this Part, the initial performance test may not be conducted until site-specific operating parameters that will be monitored to demonstrate compliance with this Part have been established by the Agency in a construction permit and approved by USEPA.
- f) For rural HMIWI, establish the maximum charge rate and minimum secondary chamber temperature as site-specific parameters during the initial performance test, provided that the performance test demonstrates that the HMIWI is in compliance with the emission limits specified in Section 229.126 of this Part.

Section 229.144 Subsequent Performance Testing for All HMIWIs

- a) The owner or operator of an HMIWI may conduct a repeat performance test at any time to establish new site specific operating values for the HMIWI. Such new site specific operating parameter values may not be relied upon until approved by the Agency as a permit condition.
- b) The Agency or the USEPA may request that the owner or operator of an HMIWI conduct a new performance test at any time.

Section 229.146 Annual Testing for Opacity

Following the date on which the initial performance test is completed, as required by Section 229.142 of this Section, the owners or operators of all HMIWIs shall conduct an annual opacity test, in accordance with Section 229.140 of this Part, by September 15 of each year.

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Section 229.148 Annual Performance Testing for Small, Medium and Large HMIWIs

Following the date on which the initial performance test is completed, as required by Section 229.142 of this Part, all owners or operators of small, medium, or large HMIWIs shall conduct an annual performance test, by September 15 of each year, to determine compliance with the PM, CO and HCL emission limits specified in Section 229.125(b) of this Part, using the applicable test procedures and methods specified in Section 229.140 of this Part.

- a) If all 3 annual performance tests over a 3-year period indicate compliance with the emission limits for PM, CO, or HCL specified in Section 229.125(b) of this Part, the owner or operator of an HMIWI may forego a performance test for that pollutant during the next 2 years. If the next performance test conducted every third year indicates compliance with the emission limits for PM, CO, or HCL specified in Section 229.125(b) of this Part, the owner or operator of an HMIWI may forego a performance test for that pollutant for an additional 2 years from the date of the previous performance test.
- b) If any performance test indicates noncompliance with the respective emission limit, the owner or operator of an HMIWI shall conduct a performance test for that pollutant annually until all annual performance tests over a 3-year period indicate compliance with the respective emission limits.

Section 229.150 Compliance with Operating Parameter Values

- a) Following the date on which the initial performance test is completed, as provided in Section 229.142 of this Part, an HMIWI, using a dry scrubber followed by a fabric filter, a wet scrubber, or dry scrubber followed by a fabric filter and a wet scrubber to comply with the emission limits of this Part, shall not operate above any of the applicable maximum or below any of the applicable minimum operating parameter values specified in Appendix B of this Part. All operating parameters shall be measured at all times, except during periods of startup, shutdown, and malfunction (calculated each hour as a 3-hour rolling average of the previous 3 operating hours). For batch HMIWIs, the charge rate shall be measured on a per batch basis.
- b) For HMIWIs using air pollution control equipment other than a dry scrubber followed by a fabric filter, a wet scrubber, or dry scrubber followed by a fabric filter and a wet scrubber to comply with the emission limits under Section 229.125 of this Part, following the date on which the initial performance test is completed, as provided in Section 229.142 of this Part, an HMIWI shall not operate above any applicable maximum or below any applicable minimum operating parameter values established in its CAAPP permit.
- c) Operating parameter limits do not apply during performance tests.

Section 229.152 Compliance Requirements for HMIWIs using CEMS

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The owner or operator of an HMIWI may use a CEMS to demonstrate compliance with any of the emission limits under Section 229.125(b) of this Part, if provided for in its permit. Any HMIWI that is allowed to use a CEMS to demonstrate compliance with the emission limits of this Part shall:

- a) Determine compliance with the applicable emission limits using a 12 hour rolling average, calculated each hour as the average of the previous 12 operating hours, not including startup, shutdown, or malfunction; and
- b) Operate all CEMS in accordance with the applicable procedures under Appendices B and F of 40 CFR 60, incorporated by reference at Section 229.104(e) of this Part.

Section 229.154 Violations by HMIWIs Equipped with a Dry Scrubber Followed by a Fabric Filter

Except as provided in Section 229.164 of this Subpart, for an HMIWI equipped with a dry scrubber followed by a fabric filter:

- a) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) shall be a violation of the CO emission limit; Simultaneous operation of an HMIWI above the maximum fabric filter inlet temperature, above the maximum charge rate, and below the minimum dioxin/furan sorbent flow rate (each measured on a 3-hour rolling average) shall be a violation of the dioxin/furan emission limit;
- c) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum HCL sorbent flow rate (each measured on a 3-hour rolling average) shall be a violation of the HCL emission limit;
- d) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a 3-hour rolling average) shall be a violation of the Hg emission limit; or
- e) Use of the bypass stack (except during startup, shutdown or malfunction) is a violation of the PM, dioxin/furan, HCL, Pb, Cd and Hg emission limits.

Section 229.156 Violations by HMIWIs Equipped with a Wet Scrubber

Except as provided in Section 229.164 of this Subpart, for an HMIWI equipped with a wet scrubber:

- a) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum pressure drop across the wet scrubber or below the minimum horsepower or amperage to the system (each measured on a 3-hour rolling average) is a violation of the PM emission limit;
- b) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) is a violation of the CO emission limit;
- c) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum secondary chamber temperature and below the minimum

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scrubber liquor flow rate (each measured on a 3-hour rolling average) is a violation of the dioxin/furan emission limit;

d) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a 3-hour rolling average) is a violation of the HCl emission limit;

e) Simultaneous operation of an HMIWI above the maximum flue gas temperature and above the maximum charge rate (each measured on a 3-hour rolling average) is a violation of the Hg emission limit; or

f) Use of the bypass stack (except during startup, shutdown, or malfunction) is a violation of the PM, dioxin/furan, HCl, Pb, Cd and Hg emission limits.

Section 229.158 Violations by HMIWIs Equipped with a Dry Scrubber Followed by a Fabric Filter and a Wet Scrubber

Except as provided in Section 229.164 of this Subpart, for an HMIWI equipped with a dry scrubber followed by a fabric filter and a wet scrubber:

a) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a 3-hour rolling average) is a violation of the CO emission limit;

b) Simultaneous operation of an HMIWI above the maximum fabric filter inlet temperature, above the maximum charge rate and below the minimum dioxin/furan sorbent flow rate (each measured on a 3-hour rolling average) is a violation of the dioxin/furan emission limit;

c) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a 3-hour rolling average) is a violation of the HCl emission limit;

d) Simultaneous operation of an HMIWI above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a 3-hour rolling average) is a violation of the Hg emission limit; or

e) Use of the bypass stack (except during startup, shutdown, or malfunction) is a violation of the PM, dioxin/furan, HCl, Pb, Cd and Hg emission limits.

Section 229.160 Compliance Requirements for Rural HMIWIs

a) Following the date on which the initial performance test is completed or is required to be completed under Section 229.142 of this Subpart, whichever date comes first, the owners or operators of rural HMIWI shall not operate their HMIWI either above the maximum charge rate or below the minimum secondary chamber temperature at all times, except during periods of startup or shutdown (calculated each hour as a 3-hour rolling average of the previous 3 operating hours).

b) Except as provided in Section 229.164 of this Subpart, the simultaneous operation of a rural HMIWI above the maximum charge rate and below the minimum secondary chamber temperature (calculated as a 3-hour rolling average) shall constitute a violation of the PM, CO and dioxin/furan emission limits.

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Section 229.162 Inspection Requirements for Rural HMIWIs

a) Each owner or operator of a rural HMIWI shall inspect the HMIWI according to the following schedule:

1) An initial inspection shall be conducted by September 15, 2000; and

2) An annual inspection shall be conducted by September 15 of each year thereafter.

b) Each inspection shall be conducted to ensure the proper operation of the rural HMIWI and, at a minimum, shall consist of the following steps:

1) An inspection of all burners, pilot assemblies, and pilot sensing devices, cleaning the pilot flame sensor, as necessary;

2) An inspection of the primary and secondary chamber combustion air flow, adjusting, as necessary;

3) An inspection of the hinges and door latches, lubricating, as necessary;

4) An inspection of dampers, fans, and blowers;

5) An inspection of the HMIWI door and door gaskets;

6) An inspection of all HMIWI motors;

7) An inspection of the primary chamber refractory lining, cleaning, repairing or replacing the lining, as necessary;

8) An inspection of the incinerator shell for corrosion or hot spots;

9) An inspection of the secondary/tertiary chamber and stack, cleaning as necessary;

10) Where applicable, an inspection of the mechanical loader, including limit switches;

11) A visual inspection of the waste bed (grates), repairing or sealing, as necessary;

12) Where applicable, an inspection of air pollution control devices to ensure their proper operation;

13) Where applicable, an inspection of the waste heat boiler systems;

14) An inspection of all bypass stack components;

15) Calibration of thermocouples, sorbent feed systems and monitoring equipment; and

16) A general inspection of all equipment to ensure that it is maintained in good operating condition.

c) The owner or operator of a rural HMIWI shall document that, during the burn cycle immediately following the inspection required by this Section, the HMIWI is operating properly and make any necessary adjustments.

d) All maintenance, adjustments, or repairs identified during the inspection required under this Section shall be completed within 10 days after the inspection. The owner or operator of an HMIWI may have a longer period of time in which to complete any repairs identified as a result of the inspection required by this Section, provided that it makes this request to the Agency in writing, and the Agency approves

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the owner or operator of an HMIWI's request in writing.

Section 229.164 Optional Performance Testing to Address Actual or Potential Violations

The owner or operator of an HMIWI may conduct another performance test within 30 days after exceeding an applicable operating parameter value in order to demonstrate that an HMIWI is not in violation of the applicable emission limits. In addition to the applicable performance testing provisions under this Part, any performance test conducted pursuant to this Section shall meet the following conditions:

- All tests shall use the same operating parameter values that indicated a violation under Section 229.154, 229.156, 229.158 or 229.160 of this Subpart;
- The owner or operator of an HMIWI shall notify the Agency in writing at least 21 days before the date of any optional performance test;
- The owner or operator of an HMIWI shall notify the Agency in writing of its intent to proceed with the optional performance test 5 days prior to conducting the test; and
- The owner or operator of an HMIWI shall conduct the optional performance test using the same approved performance test plan that was used for the performance test in which the violated operating parameter values were established.

SUBPART I: MONITORING REQUIREMENTS

Section 229.166 Monitoring Requirements for Small, Medium, and Large HMIWIs

- Once the initial performance test required by Section 229.142 of this Part has been performed, and the site-specific minimum and maximum operating parameter values have been established, the owner or operator of a small, medium or large HMIWI shall continuously monitor those parameters.

- The owner or operator of a small, medium or large HMIWI shall comply with the following monitoring requirements:

- Install, calibrate according to manufacturer's specifications, maintain, and operate devices or establish methods for monitoring the applicable maximum and minimum operating parameters specified in Appendix B of this Part such that these devices or methods measure and record values for these operating parameters at the frequencies indicated in Appendix B of this Part at all times, except during periods of startup and shutdown;
- Install, calibrate according to manufacturer's specifications, maintain, and operate a device or establish a method for identifying the use of the bypass stack, including date, time, and duration of use;
- If control equipment other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a

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fabric filter and a wet scrubber is used to comply with the emission limits under Section 229.125(b) of this Part, install, calibrate according to manufacturer's specifications, maintain, and operate the equipment necessary to monitor the site-specific operating parameters developed and approved pursuant to Section 229.142(e) of this Part; and

- Record monitoring data at all times during HMIWI operation, except during the periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be recorded for 75 percent of the operating hours per day and for 90 percent of the operating days per calendar quarter and that an HMIWI is combusting hospital waste or medical/infectious waste.

Section 229.168 Monitoring Requirements for Rural HMIWIs

The owner or operator of each rural HMIWI shall comply with the following monitoring requirements:

- Install, calibrate according to manufacturer's specifications, maintain and operate a device measuring and recording the temperature of the secondary chamber on a continuous basis, the output of which shall be recorded, at a minimum, once every minute of operation;
- Install, calibrate according to manufacturer's specifications, maintain, and operate a device that automatically measures and records the date, time, and weight of each charge fed into an HMIWI; and
- Record monitoring data at all times during HMIWI operation, except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be recorded for 75 percent of the operating hours per day and for 90 percent of the operating hours per calendar quarter that an HMIWI is combusting hospital waste or medical/infectious waste.

SUBPART J: REQUIREMENTS FOR HMIWI OPERATORS

Section 229.170 Operator Training and Qualification Requirements

- No HMIWI shall be operated unless a trained and qualified HMIWI operator, as specified in this Section, is available on-site to operate or supervise the operation of the HMIWI.
- To become a trained and qualified operator, a person shall complete a training program that, at a minimum, meets the criteria specified in subsection (c) of this Section, pass the examination administered in accordance with subsection (c)(2) of this Section and have either 6 months experience as an HMIWI operator or have completed 2 burn cycles under the observation of 2 trained and qualified HMIWI operators.
- An operator training program shall satisfy all of the following criteria:
 - Consist of at least 24 hours of training covering the following

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subjects:

- A) Work safety procedures;
 - B) Pre-startup procedures;
 - C) Environmental concerns, including pathogen destruction and types of emissions;
 - D) Basic combustion principles, including combustion byproducts;
 - E) Instruction in the proper operation of the same type of incinerator that will be used by the operator, including proper startup, waste charging, and shutdown procedures;
 - F) Operation of air pollution control equipment and factors affecting performance;
 - G) Methods for monitoring pollutants, both by CEMS and by monitoring of HMIWI and air pollution control device operating parameters, and monitoring instrument calibration procedures;
 - H) Inspection and maintenance of an HMIWI, air pollution control equipment, and CEMS;
 - I) Corrective measures to remedy malfunctions and conditions that may lead to malfunction;
 - J) Characteristics of and proper handling procedures for bottom and fly ash;
 - K) Recordkeeping procedures; and
 - L) Applicable Federal, State, and local regulations.
- 2) Administer an examination designed by the course instructor; and
 - 3) Provide reference materials covering all of the course topics specified in subsection (c)(1) of this Section.
- d) Operator qualification is valid from the date on which the examination specified in subsection (c)(2) of this Section is passed, or the completion of the experience requirements set forth in subsection (b) of this Section, whichever is later.
- e) In order for an operator that has been qualified in accordance with subsection (b) of this Section to maintain the necessary qualification status, the operator shall:
- 1) Complete and pass an annual review course of at least 4 hours in length that, at a minimum, covers the following subjects:
 - A) An update of applicable regulations;
 - B) Proper incinerator operation, including startup and shutdown procedures;
 - C) Proper incinerator inspection and maintenance;
 - D) Responses to malfunctions and conditions that may lead to malfunction; and
 - E) A discussion of operating problems encountered by attendees.
 - 2) If an operator fails to either take or to complete and pass the annual review course, the operator's qualification will lapse.
 - 3) If the operator's qualification lapses for less than 3 years, qualification may be reinstated by taking and passing the annual

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review course, as provided under subsection (e)(1) of this Section.

4) If there is a 3 year or greater lapse in an operator's qualification, then the operator shall take and pass an operator training course, as provided for under subsection (c) of this Section, in order to reinstate the qualification.

Section 229.172 Documentation To Be Maintained On-Site for Employees Operating HMIWIs

- a) The owner or operator of an HMIWI shall maintain the following information on-site for the use and reference of HMIWI operators:
 - 1) A summary of the applicable requirements under this Part;
 - 2) A description of basic combustion theory applicable to HMIWIs;
 - 3) Procedures for receiving, handling, and charging waste;
 - 4) Procedures for startup and shutdown of the HMIWI;
 - 5) Procedures for maintaining proper combustion air supply levels;
 - 6) Procedures for operating the HMIWI and associated air pollution control systems within the standards established under this Part; that may lead to malfunction;
 - 7) Procedures for responding to periodic malfunction or conditions that may lead to malfunction;
 - 8) Procedures for monitoring HMIWI emissions;
 - 9) Recordkeeping and reporting procedures; and
 - 10) Procedures for handling ash.
- b) The owner or operator of an HMIWI shall establish a program for the annual review of all of the information listed under subsection (a) of this Section by all employees that operate an HMIWI.
 - 1) The initial review of the information listed in subsection (a) of this Section shall be conducted by September 15, 2000, or prior to assuming responsibilities for operating an HMIWI, whichever is later;
 - 2) Subsequent reviews of the information contained in subsection (a) of this Section shall be conducted annually.
- c) The information identified in subsection (a) of this Section shall be kept in a location readily accessible to all HMIWI operators.

SUBPART K: WASTE MANAGEMENT PLAN REQUIREMENTS

Section 229.176 Waste Management Plan Requirements for Hospitals Using On-Site Incinerators

- a) The owner or operator of a hospital subject to the requirements in this Part shall submit to the Agency, in accordance with Section 229.184(b) of this Part, a waste management plan. Such plans shall outline technically and economically feasible policies and practices for reducing the amount and toxicity of hospital and medical/infectious waste incinerated at the hospital. The waste management plan shall include the following components:

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- 1) The name and location of the facility;
 - 2) A written policy statement setting forth management support for waste management and implementation of the plan;
 - 3) A statement of goals for reducing the volume and toxicity of waste expressed numerically where feasible; for development and
 - 4) Identification of the staff responsible for development and implementation of the plan, as well as a description of their roles and responsibilities;
 - 5) A description of communication and education programs to make employees aware of the waste management program and their responsibilities;
 - 6) A summary of existing waste management policies and practices;
 - 7) Identification of technically and economically feasible waste management policies and practices to be implemented and, where practical, a schedule for the implementation of the selected measures; and
 - 8) Procedures for tracking implementation of the plan and progress toward achieving the goals.
- b) Prior to the development of the waste management plan, the hospital shall assess:
- 1) Current waste management practices;
 - 2) All of the available data that it has collected on the types, quantities, and sources of its waste;
 - 3) Technical information on alternative waste management practices, such as the American Hospital Association publication entitled "An Ounce of Prevention: Waste Management Strategies for Health Care Facilities," incorporated by reference at Section 229.104(a) of this Part; and
 - 4) The feasibility of implementing additional waste management policies and practices, taking into account such considerations as:
 - A) The effectiveness of existing policies and practices;
 - B) The costs of additional measures;
 - C) The potential effects on patient care and worker safety;
 - D) The environmental benefits and savings;
 - E) The recycling options available in the area; and
 - F) The availability of products or equipment needed to implement alternative measures.
- c) The following measures, at a minimum, shall be considered when evaluating alternative waste management practices and developing waste management policies and procedures:
- 1) Segregating waste streams;
 - 2) Phasing out the use of products containing toxic materials;
 - 3) Reusing products and equipment;
 - 4) Reducing the use of packaging and disposable items;
 - 5) Collecting recyclable materials; and
 - 6) Improving inventory control, training and housekeeping practices.
- d) Any waste management plan that has been developed by a hospital

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- subject to the requirements of this Part prior to May 15, 1999 may be incorporated into the waste management plan required by this Section for that hospital, to the extent that such a plan is consistent with the requirements of this Section.
- e) The owner or operator of each affected hospital shall submit a waste management plan to the Agency at the same time site-specific operating parameters are reported, as specified in Section 229.184(b) of this Part.
 - f) The waste management plan shall be updated every 5 years to coincide with either the issuance or renewal of the facility's CRRPP permit.
 - g) The owner or operator of each affected hospital shall submit a waste management progress report to the Agency annually, along with the annual emissions report required by 35 Ill. Adm. Code 201.302 and 254. The progress report shall include the following elements:
 - 1) A description of progress made during the previous calendar year toward meeting the goals established in the plan;
 - 2) A summary of the waste management practices that were implemented; and
 - 3) Any amendments to the plan along with a brief explanation of the need for the amendments.
 - h) Upon written request, the affected hospital shall make the waste management plan and annual progress reports available for public review during normal business hours.
- Section 229.178 Waste Management Plan Requirements for Hospitals Transporting Waste Off-Site to an RMWI**
- a) By September 15, 2000, the owner or operator of any hospital that transfers hospital or medical/infectious waste off-site to an RMWI shall conduct an assessment of its current waste management program and consider additional technically and economically feasible measures for reducing the volume and toxicity of waste to be incinerated.
 - b) In identifying additional technically and economically feasible waste management practices, the owner or operator shall consider:
 - 1) Segregating waste streams;
 - 2) Phasing out the use of products containing toxic materials;
 - 3) Reusing products and equipment;
 - 4) Reducing the use of packaging and disposable items;
 - 5) Collecting recyclable materials; and
 - 6) Improving inventory control, training and housekeeping practices.
 - c) Within 1 year after the assessment conducted pursuant to subsection (a) of this Section, and annually thereafter, affected hospitals shall submit a waste management progress report to the Agency. The progress report shall summarize any waste management policies and practices that were implemented in the previous calendar year.
- Section 229.180 Waste Management Requirements for RMWIs Accepting Waste Generated Off-Site**

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- a) The owner or operator of any HMIWI that accepts hospital waste or medical/infectious waste generated off-site shall:
- 1) provide hospital, medical or infectious waste customers with written information at least once a year concerning the availability of waste management practices for reducing the volume and toxicity of waste to be incinerated; and
 - 2) Submit a waste management plan to the Agency, in accordance with Section 229.184(b) of this Part, that outlines the efforts that will be undertaken to distribute information as specified in subsection (a)(1) of this Section and identifies the information that will be distributed.
- b) Paper or electronic copies of the materials disseminated under this Section shall be made available to the Agency upon written request.

Section 229.181 Waste Management Plan Requirements for Other HMIWIs

The owner or operator of an HMIWI that is subject to emission limits in Subpart E of this Part, but is not subject to the waste management plan provisions of Sections 229.176 or 229.180 of this Subpart, shall develop a waste management plan in accordance with this Section.

- a) The owner or operator of an HMIWI subject to this Section shall conduct an assessment of its current waste management program and submit a waste management plan to the Agency, in accordance with Section 229.184(b) of this Part, that:
- 1) Identifies, pursuant to subsection (b) of this Section, the additional technically and economically feasible measures for reducing the volume and toxicity of the waste to be incinerated; and
 - 2) Where practical, outlines a schedule for the implementation of the selected measures.
- b) In identifying additional technically and economically feasible waste management practices, the owner or operator shall consider:
- 1) Segregating waste streams;
 - 2) Phasing out the use of products containing toxic materials;
 - 3) Reusing products and equipment;
 - 4) Reducing the use of packaging and disposable items;
 - 5) Collecting recyclable materials; and
 - 6) Improving inventory control, training, and housekeeping practices.
- c) In assessing its current waste management practices, the facility shall consider technical information on alternative waste management practices, such as the American Hospital Association publication entitled "An Ounce of Prevention: Waste Management Strategies for Health Care Facilities," incorporated by reference at Section 229.104(a) of this Part.
- d) Any waste management plan that has been developed by a facility subject to this Section before May 15, 1999 may be incorporated into the waste management plan required for that facility, to the extent

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- e) that such a plan is consistent with the requirements of this Section. The waste management plan shall be updated every 5 years to coincide with either the issuance or renewal of the facility's CAAPP permit.

SUBPART L: RECORDKEEPING AND REPORTING REQUIREMENTS**Section 229.182 Recordkeeping Requirements**

- a) The owner or operator of an HMIWI subject to the emission limits under Subpart E of this Part shall maintain records of the following information:
- 1) The calendar date of each record;
 - 2) The following data, where applicable:
 - A) Concentrations of all applicable pollutants listed in Section 229.125(b) or 229.126(b) of this Part (as determined by the CEMS, if applicable) and any measurements of opacity as required under Section 229.125(c) or 229.126(c);
 - B) HMIWI charge dates, times and weights, and hourly charge rates;
 - C) If a fabric filter is used, the fabric filter inlet temperatures during each minute of operation;
 - D) The amount and type of dioxin/furan sorbent used during each hour of operation;
 - E) The amount and type of Hg sorbent used during each hour of operation;
 - F) The amount and type of HCl sorbent used during each hour of operation;
 - G) The secondary chamber temperatures recorded during each minute of operation;
 - H) The liquor flow rate to the wet scrubber inlet during each minute of operation;
 - I) The horsepower or amperage to the wet scrubber during each minute of operation;
 - J) Any pressure drop across the wet scrubber system during each minute of operation;
 - K) The temperature at the outlet from the wet scrubber during each minute of operation;
 - L) The pH at the inlet to the wet scrubber during each minute of operation;
 - M) Identification of any use of the bypass stack, including dates, times, and the duration of such use; and
 - N) For sources complying with Section 229.166(b)(3) of this Part, all operating parameter data monitored;
 - 3) Identification of any calendar days for which data on emission rates or operating parameters specified under subsection (a)(2) of this Section have not been obtained, with an identification of the emission rates or operating parameters not measured, reasons for not obtaining data, and a description of the corrective

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actions taken:

- 4) Identification of any malfunctions, including the calendar date, the time and duration, and a description of the malfunction and of the corrective action taken to remedy it;
- 5) Identification of calendar days for which data on emission rates or operating parameters specified under subsection (a)(2) of this Section exceeded the applicable limits, with a description of the exceedences, reasons for such exceedences, and a description of the corrective actions taken;
- 6) The results of the initial, annual, and any other performance tests;
- 7) Records of calibration of any monitoring devices as required under Sections 229.166(b)(1), (2) and (3) and 229.168(a) and (b) of this Part; and
- 8) Identification of the names of all HMTWI operators who have met the criteria for qualification under Section 229.170 of this Part, including:
 - A) Documentation of training and the dates of the training; and
 - B) The date of the initial review and all subsequent annual reviews of the information specified in Section 229.172(a) of this Part, as required by Section 229.172(b) of this Part.
- b) The owner or operator of an HMTWI claiming an exemption from the emission limits in this Part pursuant to Section 229.110(b) of this Part shall keep contemporaneous records identifying each period of time when only pathological waste, low-level radioactive waste, or chemotherapeutic waste is burned, including the calendar date and duration of such periods.
- c) The owner or operator of an HMTWI claiming an exemption pursuant to Section 229.110(c) of this Part shall keep records on a calendar quarter basis demonstrating that only pathological waste, low-level radioactive waste, or chemotherapeutic waste is burned.
- d) The owner or operator of a co-fired combustor claiming an exemption from the emission limits under Section 229.110(d) of this Part shall maintain records on a calendar quarter basis of the relative weight of hospital waste and/or medical/infectious waste, and of all other fuels or waste combusted.
- e) The owner or operator of each rural HMTWI shall maintain records of the annual equipment inspections required under Section 229.162 of this Part, any required maintenance, and any repairs not completed within 10 days after an inspection or the time frame established by the Agency.
- f) All records required under this Section shall be maintained onsite for a period of 5 years, in either paper copy or electronic format, unless an alternative format has been approved by the Agency in a permit condition.
- g) All records required to be maintained pursuant to this Section shall be made available to the Agency upon request.

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Section 229.184 Reporting Requirements

- a) The facilities manager and the responsible official for the affected source shall certify each report required under this Section.
- b) The owner or operator of an HMTWI shall submit to the Agency the results of any performance test conducted on the HMTWI within 60 days after conducting the performance test. The information submitted with the initial performance test required by Section 229.142 of this Part shall include:
 - 1) The test data and values for the site-specific operating parameters established for an HMTWI pursuant to either Section 229.142(d), (e) or (f) of this Part, as applicable; and
 - 2) A copy of the waste management plan required under Subpart K of this Part.
- c) All owners or operators of HMTWIs shall submit the information specified under this subsection (c) to the Agency by September 15, 2001 and by September 15 of each year thereafter. Once an HMTWI is issued a CAAPP permit, the owner or operator of an HMTWI shall submit these reports semi-annually, in accordance with subsection (d) of this Section. The annual report shall include the following information:
 - 1) The values for site-specific operating parameters established pursuant to either Section 229.142(d), (e) or (f) of this Part;
 - 2) The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter, recorded for the calendar year being reported and for the calendar year preceding the year being reported;
 - 3) Any information recorded pursuant to Section 229.182(a)(3) through (5) of this Subpart for the calendar year being reported and for the calendar year preceding the year being reported;
 - 4) If no exceedences or malfunctions were recorded under Section 229.182(a)(3) through (a)(5) of this Subpart for the calendar year being reported, a statement that no exceedences occurred during the reporting period; and
 - 5) Any use of the bypass stack, the duration of use, the reason for malfunction, and the corrective actions taken.
- d) Once the owner or operator of an HMTWI is required to submit semiannual reports, these reports must be submitted within 60 days following the end of the reporting period. The first semiannual reporting period ends on March 15 of each year and the second semiannual reporting period ends on September 15 of each year.
- e) The owner or operator of each rural HMTWI subject to the emission limits under Section 229.126(b) of this Part, shall submit an annual report containing all information listed in subsections (b) and (c) of this Section by no later than 60 days following the year in which the data was collected. Subsequent reports shall be sent no later than 12 calendar months following the previous report. Once the unit is subject to permitting requirements under the CAAPP, the owner or operator shall submit these reports semiannually in accordance with

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the schedule specified in subsection (d) of this Section.

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Section 229, APPENDIX A Toxic Equivalency (TEQ) Factors

The following TEQ factors shall be used to determine compliance with the dioxin/furans standards under either Section 229.125(b) or Section 229.126(b) of this Part.

Dioxin/Furan Congener	Toxic Equivalency Factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1.0
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

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Section. 229 APPENDIX B Operating Parameters to be Monitored and Minimum Measurement and Recording Frequencies

An "x" in any box in this matrix means that measurement of that parameter is required.

MINIMUM FREQUENCY

CONTROL SYSTEM

Operating Parameters	Data Measurement	Data Recording	Dry Scrubber Followed by Fabric Filter	Wet Scrubber	Dry Scrubber Followed by Fabric Filter and Wet Scrubber
Maximum(1) Charge Rate	Continuous	Once per hour	X	X	X
Maximum Fabric Filter Inlet Temperature	Continuous	Once per minute	X		X
Maximum flue gas temperature	Continuous	Once per minute	X	X	
Minimum secondary chamber temperature	Continuous	Once per minute	X	X	
Minimum Dioxin/Furan Sorbent Flow Rate	Hourly	Once per hour	X		X
Minimum HCl Sorbent Flow Rate	Hourly	Once per hour	X		X
Minimum Hg Sorbent Flow Rate	Hourly	Once per hour	X		X

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Minimum Pressure Drop Across the Wet Scrubber or Minimum Horsepower or Amperage to Wet Scrubber	Continuous	Once per minute	X
Minimum Scrubber Liquor Flow Rate	Continuous	Once per minute	X
Minimum Scrubber Liquor pH	Continuous	Once per minute	X

(1) For batch HMWIs, record the charge per batch.

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Section 229. APPENDIX C Reference Test Methods and Procedures for Performance Tests

The following test methods and procedures shall be used as specified in Section 229.140(e) of this Part, when conducting any performance test for the purpose of demonstrating compliance with the emission limits established under this Part.

- a) All performance tests shall consist of a minimum of 3 test runs conducted under representative operating conditions. The minimum sample time of 1 hour per test run shall be used unless otherwise indicated. In order to demonstrate compliance with the emission limits set forth in Subpart B of this Part, the arithmetic average of all 3 performance test runs shall be used.
- b) Method 1, at 40 CFR 60, incorporated by reference at Section 229.104(d) of this Part, shall be used to select the sampling location and number of traverse points.
- c) Method 2, at 40 CFR 60 shall be used to determine average gas density as well as to measure gas velocity.
- d) Method 3 or 3A, at 40 CFR 60 shall be used for gas composition analysis, including measurement of oxygen concentration. Method 3 or 3A, at 40 CFR 60, shall be used simultaneously with each reference method.
- e) The pollutant concentrations shall be adjusted to 7 percent oxygen using the following equation:

$$C[adj] = C[meas] (20.9 - 7) / (20.9 - \%O_2)$$

Where:

$C[adj]$ = pollutant concentration adjusted to 7 percent oxygen;

$C[meas]$ = pollutant concentration measured on a dry basis
 $(20.9 - 7)$ = 20.9 percent oxygen - 7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

- f) Method 5 or 29, at 40 CFR 60 shall be used to measure particulate

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matter emissions.

- g) Method 9, at 40 CFR 60 shall be used to measure stack opacity.
- h) Method 10 or 10A, at 40 CFR 60 shall be used to measure CO emissions.
- i) Method 23, at 40 CFR 60 shall be used to measure total dioxin/furan emissions. The minimum sample time shall be 4 hours per test run. If the affected facility has selected the TPO for dioxin/furans (set out in Appendix A of this Part), as provided under Section 229.125(b) or 229.126(b) of this Part, whichever is applicable, the following procedures shall be used to determine compliance:
 - 1) Measure the concentration of each dioxin/furan tetra-through-octa-congener emitted using Method 23;
 - 2) For each dioxin/furan congener measured in accordance with subsection (i)(1) of this Section, multiply the congener concentration by its corresponding TPO factor specified in Appendix A of this Part; and
 - 3) Sum the products calculated in accordance with subsection (i)(2) of this Section to obtain the total concentration of dioxin/furans emitted in terms of TPO, to measure HCl emissions. If the affected facility has selected the percentage reduction standard for HCl emissions under Section 229.125(b) or 229.126(b) of this Part, whichever is applicable, the percentage reduction in HCl emissions ($\%R[HCl]$) is computed using the following formula:

$$(\%R[HCl]) = ((E[i] - E[o]) / E[i]) \times 100$$

Where:

$\%R[HCl]$ = percentage reduction of HCl emissions achieved;

$E[i]$ = HCl emissions concentration measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and

$E[o]$ = HCl emissions concentration measured at the control device outlet, corrected to 7 percent oxygen (dry basis).

- k) Method 29, at 40 CFR 60, shall be used to measure Pb, Cd, and Hg emissions. If the affected facility has selected the percentage reduction standards for metals as provided in Section 229.125(b) or 229.126(b) of this Part, whichever is applicable, the percentage reduction in emissions ($\%R[metal]$) is computed using the following formula:

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$$(\%R[metal]) = ((E[i]-E[o])/E[i]) \times 100$$

Where:

$$\%R[metal] = \text{percentage reduction of metal emissions (Pb, Cd, or Hg) achieved;}$$

$$E[i] = \text{metal emissions concentration (Pb, Cd, or Hg) measured at the control device inlet, corrected to 7 percent oxygen (dry basis); and}$$

$$E[o] = \text{metal emissions concentration (Pb, Cd, or Hg) measured at the control device outlet, corrected to 7 percent oxygen (dry basis).}$$

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NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Standards for Award of Grants: School Construction Program

2) Code Citation: 71 Ill. Adm. Code 40

3) Section Numbers: 40.130
Emergency Action: Amended

4) Statutory Authority: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Section 5-55 of that Act, and the School Construction Law [105 ILCS 230].

5) Effective date of Amendment: May 12, 1999

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This rule will expire at the end of the 150-day period.

7) Date Filed in Agency's Principal Office: May 12, 1999

8) Reason for Emergency: To clarify rules of an ongoing State funding program.

9) A complete description of the Subjects and Issues Involved: The current version of our rules on the School Construction Program states that the dollar amount of the grant is solely based on an estimate made by CDB before the project begins. In numerous instances over the past year, the project cost as bid by the contractors is lower, sometimes substantially, than CDB's estimate. Some school districts are taking the position that they are entitled to the entire grant amount originally indicated by CDB, even when this amount raises the percentage of the State Share for their project above that indicated by the State Board of Education. In a few instances the bid prices of the project were so much lower than CDB's estimate, that the grant by the State literally would fund the entire project. The amendment to our rule clarifies that the estimate given by CDB (Recognized Project Cost) establishes a "not to exceed" amount that will be proportionately reduced if the bid prices for the project are less than CDB's estimate.

10) Are there any proposed amendments pending on this Part other than those appearing in the same issue of the Register as the emergency rules? No.

11) Statement of Statewide Policy Objectives: This emergency amendment does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

12) Information and questions regarding these amendments shall be directed to:

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Fredrick W. Hahn, Chief Counsel
Capital Development Board
3rd Floor, Wm. G. Stratton Building
Springfield IL 62706
(217)782-0700

The full text of the Emergency Amendment begins on the next page:

CAPITAL DEVELOPMENT BOARD
NOTICE OF EMERGENCY AMENDMENTS

TITLE 71: PUBLIC BUILDINGS, FACILITIES AND REAL PROPERTY
CHAPTER I: CAPITAL DEVELOPMENT BOARD
SUBCHAPTER a: RULES

PART 40

STANDARDS FOR AWARD OF GRANTS:
SCHOOL CONSTRUCTION
PROGRAM

Section Definitions
40.100 General
40.110 Planning Assistance Grants (Repealed)
40.120 Construction Grants
EMERGENCY
40.140 Debt Service Grants (Repealed)

AUTHORITY: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Section 5-55 of that Act and the School Construction Law [105 ILCS 230].

SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20342, effective October 1, 1984; amended at 9 Ill. Reg. 17345, effective October 29, 1985; amended at 13 Ill. Reg. 6973, effective April 21, 1989; amended at 20 Ill. Reg. 15244, effective November 15, 1996; emergency amendment at 22 Ill. Reg. 2597, effective January 13, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 9518, effective May 21, 1998; emergency amendment at 23 Ill. Reg. 6521, effective May 12, 1999, for a maximum of 150 days.

Section 40.130 Construction Grants
EMERGENCY

Prior to the award of a construction grant, school districts shall meet the following requirements:

- a) Program Statements
Program Statements must be submitted to the Board as part of the school district's Application for Construction Grant Entitlement for proposed facilities and sites requiring SCP funding. Program Statements must conform to the SCP Educational Facilities Program Statement Guidelines as developed by the Board and which will address, but not be limited to, the following:
 - 1) Project Description and Rationale
 - 2) Occupant Capacity Education-plan
 - A) Curriculum-plan
 - B) Instruction-method
 - C) Support-plans

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- 3) Site Analysis Description-of-Activity-Areas
- 4) Project Design General-Building-Considerations
- 5) Funding Sources and Cost Estimates Site-Analysis
- 6) Time Schedule of Major Events
- 7) Cost-Estimates-and-Funding-Sources

b) Prohibited Uses

Program statements shall not include any on-going operational costs or any construction projects for which the General Assembly and the Governor have approved specifically designated funds.

c) Standards for School Site Selection and Approval

- 1) The local school board shall select the sites for all new projects subject to the determination of the Board that the proposed site meets all minimum engineering and construction standards or requirements.

2) Suitability for Development and Construction

A) The site must be free of physical structures, topographical features or subsurface physical conditions that would preclude necessary construction, present insurmountable obstacles to safety or normal utilization, shorten building life, cause excessive delays in project completion, or cause costs to exceed the funds available. "Necessary construction" shall include but not necessarily be limited to: buildings, utility lines, storm water disposal arrangements and paving. The local district shall provide a report, acceptable to the Board, on soil conditions based on the removal of soil for testing. The cost to the local school district of the soil test and report of that test shall be considered as a credit to the local share of the recognized project cost if the site is approved and a grant award is made.

B) The site must not be subject to existing or foreseeable, harmful or disruptive environmental hazards and nuisances. Such hazards and nuisances may include, but are not necessarily limited to: excessive dust, smoke, noise, odors, air pollutants, soil pollutants, floods, ground water incursions, vibrations, explosions, and electrical discharges. Site acquisition shall be subject to the Farmland Preservation Act [505 ILCS 75], Interagency Wetland Policy Act of 1989 [20 ILCS 830], Illinois State Agency Historic Resources Preservation Act [20 ILCS 3410], Archaeological and Paleontological Resources Protection Act [20 ILCS 3435] and the Illinois Endangered Species Protection Act [520 ILCS 10], as may be applicable.

3) Availability of Site

A) The local district shall have a period of 150 days from the time of grant award to acquire title to the site, or rights of use and exclusion sufficient to carry out the purposes and programs of the school. Such time period may be

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extended for 60 days by the Executive Director. Any further extension must be approved by the Board. Extensions will be granted in those cases in which there is a reasonable expectation that the district will be able to acquire the site within the period of the extension and the delay has been occasioned by a condition beyond the control of the district, such as a delay in acquiring a title commitment.

B) A grant will not be awarded until the Board has had a reasonable opportunity to enter upon the site, inspect it in detail, and conduct whatever site tests are deemed necessary to establish the suitability of the site for school purposes.

C) The Board will not approve a site unless its development and use for the proposed school is in compliance with applicable laws, or unless action has been taken to bring variation of same into compliance.

D) When street vacations, utility relocations, or such action will be required prior to start of construction, the local district must present documentation that such actions will be approved by the responsible local governmental units before the Board will approve the site.

4) Site Size and Configuration

A) The proposed site must contain usable space sufficient in size and of regular configuration so as to accommodate the school's on-site program as well as to accommodate ancillary functions that are better served on-site than off-site, such as parking, bus loading and unloading, casual student assembly and play, and pedestrian movement between different points on the site.

B) The school's on-site program shall be defined to include the school's instructional program and any other activities and events the applicant school district plans to conduct on the site. The applicant may tailor its on-site program to fit the site proposed. Determination of the adequacy of the site's space in terms of the number of students shall be based on the design capacity of the school building.

C) Space for Buildings

In addition to those portions of the site required for other purposes, there must be a portion or portions of the site that are of such size, shape and physical quality that they are sufficient to accommodate the buildings that would be required by the maximum design enrollment of the school. This "building reserve" must be at least sufficient in ground area to provide for gross floor space, as set forth in the section on space standards for new construction, subsection (c)(4)(D) of this Section. For facilities with more than one floor the "building reserve" must be at least sufficient in ground area to provide for one-half the gross

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floor space.

- D) Non-Building Space
- i) At a minimum, the site must provide amounts of space (in addition to that reserved for buildings to meet "Special Requirements" as defined in subsection (c)(4)(E) of this Section of a shape, character and location that the site can readily be improved to provide areas suitable for physical education and recreation, any planned accommodation of vehicles, and the accommodation of outdoor access, circulation and evacuation in accordance with CDB's List of Eligible Capital Infrastructure Program Expenditures for Construction of New School Facilities (see subsection (c)(7)), "List of Eligible Expenditures".
 - ii) For additions to existing schools, the addition should not be planned on existing open space and/or playground area of existing schools, unless it can be demonstrated that the construction of the addition will not reduce the amount of space necessary to fulfill the program and provide adequate recreational space.

E) Special Requirements

Irrespective of required minimums, the site must be of sufficient size to provide for the following needs as indicated:

- i) Space for Outdoor On-Site Program

There must be a portion or portions of the site, in addition to those reserved for other purposes, that are of such size, shape and physical character that they can be readily improved to accommodate the safe conduct of the outdoor portions of the on-site school program. The site must permit the safe conduct of a physical education program that meets district standards, taking into account the varying physical capacities of students, types and amounts of activities in the physical education program, and the daily and yearly time schedule of the school.
- ii) Accommodation of Vehicles

There must be portions of the site, in addition to those necessary for other purposes, that are of such size, shape, physical quality and location that they can provide spaces for vehicles as indicated below without contravening local zoning ordinances: safe loading and unloading areas for school buses, where areas are necessary to the safety of students from street traffic; secure and convenient parking spaces for staff, visitors, and students in conformance with district policies; and safe accommodation of delivery

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- iii) Access, Circulation, Evacuation Assembly

and service vehicles involved in serving the school. There must be portions of the site of such size, shape, physical quality and location that they can be improved to provide: unobstructed exterior avenues of escape from the exits of all proposed buildings and the areas adjacent to buildings in the event that evacuation is necessary; safe and convenient circulation by students between and among the building(s) and outdoor activity areas of the site; safe accommodation for the unsupervised outdoor assembly of students and their pastimes before school, after school, at lunch breaks and at recesses; safe accommodation of the outdoor assemblies of students and spectators occasioned by school-sponsored spectator events to be held on the site.

- F) Variance of Site Size and Configuration

The Board will approve a proposed site which does not meet the minimum requirements of this subsection (c)(4) when all the following criteria have been met:

 - i) The local school board petitions the State Board of Education and the Board for a variance from the minimum requirements of this subsection (c)(4) stating with specificity the reasons for such variance.
 - ii) The State Board of Education certifies to the Board that the variance complies with all requirements of the School Code and rules of the State Board of Education (23 Ill. Adm. Code 151).

5) Utilities and Services

- A) Water Supply

Water must be available at the site in sufficient volume and delivery rates and of appropriate quality to serve the firefighting needs of the proposed school as well as to accommodate other forms of water consumption.
- B) Sanitary Sewage Disposal

The location or character of the site must not prevent the disposal of sanitary sewage from the school.
- C) Storm Water Disposal

The location or character of the site must not prevent the disposal of storm water from the school.
- D) Electric, Power, Telephone, Gas

The site must present no obstacles to the provision of electric power, telephone services, and whatever gas service the school may require at the point in the construction process when utility hook-ups are made.
- E) Solid Waste Management Systems

Solid waste management services must be available to the site.

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- 6) Architect-Engineer Selection
The selection of an architect-engineer shall be in accordance with the Local Government Professional Services Selection Act [50 ILCS 5101].
- 7) List of Eligible Expenditures:
- A) CDB will participate in the funding of academic facilities for all programs approved by the State Board of Education.
 - B) CDB's participation in the funding of administrative facilities is limited to that space required for the administration of the educational and support program of the school. CDB will not participate in funding administrative facilities intended for district administration.
 - C) CDB will not fund facilities intended for commercial use by profit making organizations. This is not meant to exclude facilities to be operated by non-profit organizations such as student groups, PPAs, etc.
 - D) Although CDB encourages development of facilities intended for joint use by school and community, CDB's participation in the funding of facilities intended for joint use by school and community is limited to those items required to meet the needs of the school's educational and support programs.
 - E) CDB will not participate in funding facilities designed exclusively for interscholastic activities. For example, although CDB will fund locker facilities in sufficient numbers to provide for the physical education program needs of a school's own students, CDB will not fund separate locker facilities for the exclusive use of visiting school teams.
 - F) Off-site improvements are defined as any improvements outside of the property line. Off-site improvements are not recognized as eligible project costs except under exceptional circumstances and only in those cases where the off-site improvements are necessary to the functional operation of a school facility. The following specific policies apply to off-site improvements:
 - i) Off-site improvements that exceed the requirements needed for the project are ineligible project costs. For example, if a larger water main is desired by the locality than is needed for the school project itself, CDB will not participate in any cost attributable to the increased size of the main.
 - ii) The district must provide certification that local and/or federal funding sources are not available to the district or any other public body for off-site improvements before CDB will consider participation in their funding.
 - iii) CDB's participation in funding off-site improvements

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- is only permitted if the off-site property or interest in the property, such as an easement or leasehold, is owned by a public body.
- iv) Prior to grant award, as part of the pre-grant analysis, CDB will perform a cost-benefit analysis regarding the implications of off-site improvements for alternative sites. In evaluating need for off-site improvements, CDB will consider trade-offs among factors such as cost of off-site improvements, cost of site, and desirability of site location. For example, site acquisition cost plus major off-site improvements cost may still be less for one site than for another site requiring only minor off-site improvements. In such special cases, a site requiring major off-site improvements could be preferred. However, the specific policies in subsections (c)(7)(F)(i), (ii) and (iii) still apply.
- G) On-site improvements may be defined as any improvements outside the building's 5-foot line but inside the property line of the site. CDB's participation in funding on-site improvements is limited to those minimum requirements that are necessary to making the site functionally operational. CDB will evaluate space types of a sophisticated nature that support specialized activities in an elementary, middle/junior high school or high school. CDB will identify facilities of this type. Justification must be based on programmatic need. Such justification, to obtain the support of CDB, must have the support and concurrence of the State Board of Education.
 - I) CDB will participate in the funding of vocational/technical facilities for all programs approved by the State Board of Education.
 - 8) State and Local Financial Participation in School Construction Projects
 - A) Determination of Recognized Project Cost
 - i) Recognized project cost shall be based upon calculations in accordance with the List of Eligible Expenditures (see subsection (c)(7)) and shall include unit cost (\$/sq.ft.) as follows: buildings constructed to the five foot line, design and construction contingencies, building fixed equipment plus additional associated costs as deemed appropriate by the Board in consultation with local school districts as follows: site improvements including related A/E fees and reimbursements, land acquisition and associated legal fees for the project site acquired, movable equipment, and utility service lines, both on-site and off-site, and special

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foundation construction and related A/E fees deemed necessary as a result of unusual sub-surface soil conditions.

- iii) The recognized project costs initially calculated by CDB will establish the maximum acceptable cost of the eligible expenditures. If the bid price received by the district from the various contractors for the eligible expenditures is less than this initial calculation, the recognized project cost will be reduced to equal the bid price.

- iii) The Board shall establish and include in the List of Eligible Expenditures (see subsection (c)(7)) unit cost limitations for elementary, secondary and vocational school construction based upon periodic review and revision of maximum cost per gross square foot allowances.

B) Project Standards for New Construction and Additions

- i) General CDB shall establish detailed project standards including space and capacity standards in the List of Eligible Expenditures (see subsection (c)(7)). New schools with adequate space for all necessary instructional and ancillary activities require more space per student than additions to existing schools. Different space standards are required to accommodate different grade levels, i.e., Pre-K-6, 7-9, and 9-12. Economies of scale in terms of space per student can be anticipated for larger schools.

ii) Square Footage

The following maximum standards are established for the determination of the State share of the recognized project cost in connection with a construction grant:

Square Foot Per Student

ELEMENTARY (Pre-K-6)

Gross square feet	100
per student	
per additional student beyond 240	82

MIDDLE/JUNIOR HIGH SCHOOL (7-9)

Gross square feet	120
per student	
per additional student beyond 400	100

HIGH SCHOOL (9-12)

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Gross square feet

per student

per additional student beyond 600

140

110

- C) Remodeling or Rehabilitation The recognized project cost for remodeling/ rehabilitation projects must be developed on an individual basis with space per student not to exceed standards set for construction as set forth in subsection (c)(7)(B), and unit costs not to exceed standards for new construction as established from time to time by the Board.

D) Premises for Space Standards

- i) All necessary types of space shall be included for freestanding schools.
ii) An average space-per-student can be derived from space type need by level: elementary, middle/junior high and high school.

- iii) Space needs for additions to existing schools may be less than needs for freestanding schools.

- iv) A building efficiency (net assignable space to total space) of 65% is the acceptable minimum.

- v) Unit costs (\$/sq.ft.) used for determining the recognized project cost, including A/E design fees, building construction to the five foot line, fixed equipment, associated legal fees and a contingency shall be no greater than those unit costs established from time to time by the Board. Said unit costs are determined as needed and are established by the Board and included in the List of Eligible Expenditures (see subsection (c)(7)). In establishing unit costs the Board members shall be guided by current costs within the construction industry and the goal of receiving fair value for public funds expended.

E) Limits on SCP Participation and Site Cost

Districts will not receive Board assistance or credit for acreages beyond the following maximums:

Elementary (Pre-K-6) - 5 acres plus 1 acre per 100 students, Middle/Junior High (7-9) - 15 acres plus 1 acre per 100 students, and

- F) High School (9-12) - 20 acres plus 1 acre per 100 students. The State and local share of the recognized project cost shall be computed by multiplying the recognized project cost by the Grant Index as defined by the School Construction law and determined by the State Board of Education. Local districts must have access to the local share of the recognized project cost within 90 days after the grant award by the Board. Such period may be extended by the Executive Director for a maximum period of 30 days if the district demonstrates that appropriate steps have been taken to

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obtain the district's share of the recognized project cost and that an additional 30 days is necessary to complete the process. Local school districts are urged to begin referendum proceedings upon grant entitlement by the State Board of Education.

G) The local share of the recognized project cost may be placed in a local trust account pursuant to 71 Ill. Adm. Code 30.

H) School districts may add to a project cost beyond the recognized project cost with local funds. Funds for such project supplements may be deposited in local trust accounts.

I) All enrichment project costs that are not included in the recognized project cost and designated as ineligible expenditures by the Capital Development Board will be paid by the local district.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 6521, effective May 12, 1999, for a maximum of 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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1) Heading of the Part: Pay Plan

2) The Code Citation: 80 Ill. Adm. Code 310

3) Section Numbers: Emergency Action:
310.230 Amend

4) The specific statutory citation upon which the rule is based and authorized: 20 ILCS 415/8 and 8a.

5) The effective date of the rule: May 10, 1999

6) If this emergency rule is to expire before the end of the 150 days period, please specify the date: The emergency amendment will extend to the full 150 days.

7) Date filed in Agency's principle office: May 10, 1999

8) The reason for the emergency: The Department of Transportation requested a positive change in the salary range of the Labor (Maintenance) title. Each summer, they hire students as help in working on the highways. These hirings will allow the regular Highway Maintainers to concentrate on needed tasks and not on lesser important tasks. The Highway Maintainers can concentrate more on repairing the State's roadways.

9) A Complete Description of the Subjects and Issues Involved: The Department of Central Management Services is filing an emergency amendment to increase the part-time hourly rate for the Laborer (Maintenance) title in Section 310.230. The part-time hourly rate of the Laborer (Maintenance) is being changed from \$5.15 - \$5.70 to \$6.20 - \$6.75 at the request of the Department of Transportation.

10) Are there any proposed amendments pending to this part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.470	Amend	23 Ill. Reg. 5215
310. Appendix A, Table AA	Amend	23 Ill. Reg. 5300
310. Appendix A, Table H	Amend	23 Ill. Reg. 5300
310. Appendix A, Table J	Amend	23 Ill. Reg. 5300
310. Appendix A, Table O	Amend	23 Ill. Reg. 5300
310. Appendix A, Table S	Amend	23 Ill. Reg. 5300
310. Appendix A, Table W	Amend	23 Ill. Reg. 5300
310. Appendix A, Table X	Amend	23 Ill. Reg. 5300
310. Appendix A, Table Y	Amend	23 Ill. Reg. 5300
310. Appendix A, Table Z	Amend	23 Ill. Reg. 5300

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- 11) Statement of Statewide Policy Objectives: This rulemaking does not affect local government units.
- 12) The name, address and telephone number of the person to whom information and questions regarding this adopted rule shall be directed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

The full text of the Emergency Amendment is as follows:

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NOTICE OF EMERGENCY AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER 1: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 1999
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
<u>EMERGENCY</u>	
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

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Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone (Repealed)
310.456	Other Pay Increases
310.460	Adjustment
310.470	Decreases in Pay
310.480	Other Pay Provisions
310.490	Broad-Band Pay Range Classes
310.495	Definitions
310.500	Conversion of Base Salary to Pay Period Units
310.510	Conversion of Base Salary to Daily or Hourly Equivalents
310.520	Annual Merit Increase Guidechart for Fiscal Year 1999
310.530	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
310.550	

APPENDIX A Negotiated Rates of Pay

TABLE A HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)

TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFPE)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

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TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1999
APPENDIX C	Medical Administrator Rates for Fiscal Year 1999
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1999
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1999

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2400, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

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Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 13, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 6151, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

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effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 10, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 15103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21856, effective December 15, 1993; for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6888, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

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22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15022, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; peremptory amendment at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; emergency amendment at 23 Ill. Reg. 664, effective May 10, 1999, for a maximum of 150 days.

SUBPART B: SCHEDULE OF RATES

Section 310-230 Part-Time Daily or Hourly Special Services Rate

EMERGENCY

The rate of pay as approved by the Director of Central Management Services for

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persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310-220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes or positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
Aptery Inspector	83 to 106 (daily)
Building/Grounds Laborer	8.28 to 10.15 (hourly)
Building/Grounds Lead I	5.15 to 6.00 (hourly)
Building/Grounds Lead II	5.15 to 7.00 (hourly)
Building/Grounds Maintenance Worker	5.25 to 8.00 (hourly)
Chaplain I	5.15 to 6.00 (hourly)
Chemist I	39 to 70 (daily)
Conservation/Historic Preservation Worker	39 to 45 (daily)
Conservation/Historic Preservation Worker (2nd season -- site interpretation)	5.15 to 6.50 (hourly)
Conservation/Historic Preservation Worker (3rd season -- site interpretation)	5.15 to 6.50 (hourly)
Dentist I	5.15 to 6.50 (hourly)
Dentist II	70 to 150 (daily)
Educator	100 to 185 (daily)
Educator Aide	39 to 85 (daily)
Guard I	39 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Advanced Specialist	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	5.15 to 5.30 (hourly)
Janitor II	5.15 to 6.00 (hourly)
Labor Relations Lead Worker	39 to 70 (daily)
Labor Relations Investigator	6.20 to 6.75 5:15 to 5:70 (hourly)
Laborer (Maintenance)	5.15 to 5.00 (hourly)
Maintenance Worker	
Occupational Therapist	40 to 160 (daily)
Program Coordinator	8.36 to 11.03 (hourly)
Office Aide	62 to 83 (daily)
Office Assistant	9.44 to 12.74 (hourly)

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Office Associate	70 to 96 (daily)
	10.10 to 13.84 (hourly)
	75 to 104 (daily)
Office Clerk	8.83 to 11.83 (hourly)
	66 to 89 (daily)
Optometrist	15 to 35 (hourly)
	50 to 160 (daily)
Physician	100 to 300 (daily)
Physician Specialist (A)	20 to 60 (hourly)
	100 to 325 (daily)
Physician Specialist (B)	20 to 70 (hourly)
	100 to 350 (daily)
Physician Specialist (C)	20 to 105 (hourly)
	100 to 360 (daily)
Physician Specialist (D)	20 to 115 (hourly)
	100 to 370 (daily)
Podiatrist	50 to 125 (daily)
Psychologist I	39 to 80 (daily)
Psychologist II	40 to 125 (daily)
Psychologist III	40 to 150 (daily)
Recreation Worker I	5.33 (hourly)
	40 to 45 (daily)
Registered Nurse I	39 to 54 (daily)
Registered Nurse I (2nd or 3rd shift)	41 to 56 (daily)
Registered Nurse I (Cook County)	43 to 58 (daily)
Registered Nurse I (Cook County - 2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II	43 to 58 (daily)
Registered Nurse II (2nd or 3rd shift)	44 to 59 (daily)
Registered Nurse II (Cook County)	45 to 60 (daily)
Registered Nurse II (Cook County - 2nd or 3rd shift)	47 to 62 (daily)
Revenue Tax Specialist I	11.56 to 16.16 (hourly)
	86 to 122 (daily)
Social Worker II	39 to 75 (daily)
Social Worker III	39 to 80 (daily)
Student Worker	5.15 to 8.00 (hourly)
Technical Advisor II	32 to 35 (hourly)
Technical Advisor III	32 to 60 (hourly)
Veterinarian II	95 to 130 (daily)

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(Source: Amended by emergency rulemaking at 23 Ill. Reg. effective May 10, 1999, for a maximum of 150 days)

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DEPARTMENT OF HUMAN SERVICES
NOTICE OF EMERGENCY AMENDMENT

1) Heading of the Part: Assessment for Determining Eligibility and Rehabilitation Needs

2) Code Citation: 89 Ill. Adm. Code 553

3) Section Numbers:
553.130 Emergency Action:
553.140 Amendment
553.150 Amendment

4) Statutory Authority: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

5) Effective Date of Amendments: May 17, 1999

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A

7) Date filed with the Index Department: May 17, 1999

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Reason for Emergency: This amendment makes the rulemaking consistent with the recent amendments to the federal Rehabilitation Act. By decreasing the number of functional capacities that are limited from 3 to 2 to certify a person's disability as significant more individuals will be eligible for vocational rehabilitation services. Without this change these persons are not able to receive services and many are unable to receive the services they would need to be employed.

10) A Complete Description of the Subject and Issues Involved: The amendment to the rulemaking reflects the new federal amendment to the Rehabilitation Act. This amendment changes the number of functional capacities limited by the person's disability to qualify the individual for VR services. Other changes are included to meet the new terminology of the federal Rehabilitation Act. These include changing "severe" to "significant" and changing the Individual Written Rehabilitation Plan (IWRP) to the Individualized Plan for Employment (IPE).

11) Are there any other amendments pending on this Part? No

12) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

13) Information and questions regarding this amendment shall be directed to:

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NOTICE OF EMERGENCY AMENDMENT

Ms. Susan Weir, Bureau Chief
Bureau Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield, Illinois 62762
Telephone number: (217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES
NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 553
ASSESSMENT FOR DETERMINING ELIGIBILITY AND
REHABILITATION NEEDS

Section	General Applicability
553.10	Basis for the Determination of Eligibility
553.20	Presumption of Benefit from Vocational Rehabilitation Services
553.30	Services to Non-United States Citizens
553.35	Eligibility Determination Time Frames
553.40	Outcome of the Eligibility Determination
553.50	Documentation of Eligibility Factors/Preliminary Assessment
553.60	Certification of Eligibility
553.70	Extended Evaluation
553.80	Outcome of Extended Evaluation
553.90	Assessment of Rehabilitation Needs
553.100	Assistance in Attaining Necessary Financial Support
553.105	Outcome of the Assessment of Rehabilitation Needs
553.120	Change in Eligibility Status
553.130	Order of Selection
EMERGENCY	
553.140	Criteria for Significant Severe Disability and Most Severe Disability
553.150	Determination of Serious Limitation to Functional Capacities
EMERGENCY	

AUTHORITY: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Emergency rules adopted at 17 Ill. Reg. 11657, effective July 1, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 20346, effective November 15, 1993; amended at 19 Ill. Reg. 1834, effective February 6, 1995; amended at 19 Ill. Reg. 10149, effective June 29, 1995; amended at 19 Ill. Reg. 15730, effective November 7, 1995; emergency amendment at 20 Ill. Reg. 10385, effective July 19, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 11974, effective August 16, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 1386, effective January 17, 1997; amended at 21 Ill. Reg. 2669, effective February 10, 1997; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 23 Ill. Reg. 1368, effective January 14, 1999; amended at 23 Ill. Reg. 1368, effective January 14, 1999; amended at 23 Ill. Reg. 0544, effective May 17, 1999, for a maximum of 150 days.

Section 553.130 Order of Selection

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EMERGENCY

- a) Pursuant to the provisions of the Rehabilitation Act of 1973, as amended (29 USC 755e- 701 et seq. -796(f)), DHS-ORS has established the following Order of Selection for the priority of provision of services to eligible individuals which counselors must follow when purchasing services for customers: 1 in-addition, pursuant to 34-PCR 361-38, Public Safety Officers injured in the line of duty shall be given priority for services within the categories listed in subsection (a)(1)-(3), below.
- 1) those individuals determined to have the most significant severe disabilities;
- 2) those individuals determined to have significant severe disabilities; and
- 3) individuals determined to have non-severe disabilities.
- b) For the purposes of administering services under the Order of Selection, DHS-ORS has determined that current funding levels allow services to be provided to eligible individuals in the categories established in subsections (a)(1) and (2), above.
- c) Eligible individual in subsection (a)(3), above, may at his/her choice be placed on a waiting list for services. The waiting list will be maintained by DHS-ORS and services offered if the Associate Director of DHS-ORS or designee determines funding is available to provide services to all other individuals with disabilities.
- d) An individual who was determined eligible and began to receive services before the effective date of this amendatory rulemaking, or is determined eligible and begins to receive services thereafter, will be eligible to continue to receive services until completion of his/her rehabilitation program, regardless of changes made by DHS-ORS to its Order of Selection or priority of services.
- e) Once an eligible individual is assigned to a specific priority of service category, his/her category assignment may be changed to a higher priority category, if justified based on new information relating to his/her disability and documented in the customer's case file, but shall not be moved to a category of lower priority, except as described in Section 553.120 of this Part.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 0544, effective May 17, 1999, for a maximum of 150 days)

Section 553.140 Criteria for Significant Severe Disability and Most Severe Disability

- a) Criteria for determining that the individual has a significant severe disability or a most significant severe disability must be in the individual's VR case file, stated and justified in the Assessment Summary (89 Ill. Adm. Code 553.70 and 89 Ill. Adm. Code 553.110) based

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NOTICE OF EMERGENCY AMENDMENT

on the following information.

- b) To be considered an individual with a most significant **severe** disability in determining priority for services under the Order of Selection (Section 553.130) in this Part, the individual must meet all of the criteria listed in subsection (c), below, with the exception that the customer's disability must seriously limit two **three** or more of the functional capacities, as listed in Section 553.150 of this Part.
- c) To be considered an individual with a significant **severe** disability to determine priority of services under the Order of Selection (Section 553.130), he/she must have a disability which is determined by the rehabilitation counselor/instructor to meet all four of the following criteria:
- 1) The significant **severe** disability seriously limits at least one two of the individual's functional capacities, as listed in Section 553.150 of this Part.
 - 2) The individual has a disability or combination of disabilities determined by an evaluation of rehabilitation potential to cause a substantial physical or mental impairment similar but not limited to the following list of disabilities:

- A) amputation,
- B) arthritis,
- C) autism,
- D) blindness,
- E) burn injury,
- F) cancer,
- G) cerebral palsy,
- H) cystic fibrosis,
- I) deafness,
- J) head injury,
- K) heart disease,
- L) hemiplegia,
- M) hemophilia,
- N) respiratory or pulmonary dysfunction,
- O) mental retardation,
- P) mental illness,
- Q) multiple sclerosis,
- R) muscular dystrophy,
- S) musculo-skeletal disorders,
- T) neurological disorders (including stroke and epilepsy),
- U) paraplegia,
- V) quadriplegia (and other spinal cord conditions),
- W) sickle cell anemia,
- X) specific learning disabilities, or
- Y) end stage renal failure disease.

- 3) The individual requires two **three** or more VR services--which--may include---counseling---and---guidance---services---provided---by---the rehabilitation-counselor/instructor---will-be-required to ensure

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the individual a successful employment outcome. Multiple services are defined as core VR services, counseling and guidance, physical restoration, training, and placement and are listed in the customer's IPE.

- 4) VR services will be required over an extended period of time. An extended period of time for the purposes of the VR Program is defined as 6 months or more. The time period begins with the implementation of the IPE.
- d) An individual may also be considered an individual with a significant disability if the individual has been determined pursuant to Title II (SSDI) or Title XVI (SSI) to be eligible for disability benefits.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. effective May 17, 1999, for a maximum of 150 days)

Section 553.150 Determination of Serious Limitation to Functional Capacities

EMERGENCY

- a) For the purpose of determination of significant **severe** and most significant **severe** disabilities, functional capacities shall include:
- 1) mobility - the ability of an individual to move from place to place and move the body into certain positions (e.g., walking, climbing, kneeling, stooping, sitting, standing);
 - 2) self-care - the ability of an individual to perform activities related to his/her health and hygiene (e.g., grooming, bathing, eating, house keeping, medical management, money management);
 - 3) self-direction - the ability of an individual to control and regulate his/her own personal, social, and work life (i.e., maintain schedules and routines, follow directions and established rules, organizational skills, etc.);
 - 4) work skills - the ability of an individual to perform jobs which exist in the current employment market, regardless of demand for the particular occupation (e.g., learn and maintain work skills, cooperate with others in a work setting, use adequate decision making and problem solving skills);
 - 5) work tolerance - the ability of an individual to consistently and adequately perform a job based on the job's physical, emotional, environmental, and psychological demands of the position (e.g., performance on the job is not adversely affected by changes in environment such as cold and heat, has the strength and endurance to perform the job in question);
 - 6) interpersonal skills - the ability of an individual to establish and maintain appropriate relationships with other individuals in the work place (e.g., necessary communications, appropriate and acceptable behavior, ability to cooperate in a team setting, understanding, tact); and
 - 7) communication - the ability to convey and receive information efficiently and effectively (e.g., ability to hear and understand

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- ordinary spoken language; ability to make one's self understood in ordinary conversation; ability to write or print short notes and communications; and ability to read and correctly interpret short notes, signs, and instructions).
- b) A serious limitation to a functional capacity shall exist when it is determined by the rehabilitation counselor/instructor that the customer, because of his/her disability, has functional limitations in performing the major components of the activity or activities listed in subsections (a)(1) through (7), above, or needs accommodation.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 0544, effective May 17, 1999, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Illinois Swimming Pool and Bathing Beach Code
- 2) Code Citation: 77 Ill. Adm. Code 820
- 3) Section Numbers: Emergency Action:
820.300 Amendment
- 4) Statutory Authority: Implementing and authorized by the Swimming Pool and Bathing Beach Act [210 ILCS 125].

- 5) Effective Date of Amendment: May 20, 1999

- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which they expire: The emergency amendments will not expire before the end of the 150-day period.

- 7) Date Filed with the Index Department: May 14, 1999

- 8) A copy of the emergency amendment including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Reason for Emergency: The rules governing public swimming pools in Illinois required one lifeguard per 200 bathers or 2,000 square feet of water surface area, whichever would result in the lesser number of lifeguards, until the requirement was changed in a recently adopted rulemaking. In extensive amendments to the swimming pool and bathing beach rules, effective May 20, 1999, the required number of lifeguards was changed to one per 200 bathers or 2,000 square feet of water surface area, whichever would result in the largest number of lifeguards. Since adopting the above-mentioned amendments, the Department has found out that increasing the number of lifeguards required at a pool has resulted in a lifeguard staffing requirement that would be economically burdensome on pools and may result in the closing of some pools. This emergency rulemaking will return the staffing levels to those that had been in place for many years, in time for the 1999 outdoor swimming season. The Department will consult with organizations that train and accredit lifeguards to revisit the lifeguard staffing requirement for possible revision in a permanent rulemaking.

- 10) A Complete Description of the Subjects and Issues Involved: In Section 820.300(b)(4)(A), the staffing provision for lifeguards at swimming pools has been revised to require one lifeguard for every 200 bathers or 2,000 square feet of water surface area, whichever will result in fewer lifeguards.

- 11) Are there any proposed amendments to this Part Pending? No

- 12) Statement of Statewide Policy Objectives: These rules will not require any

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

new expenditures by units of local government.

13) Information and questions regarding these amendments shall be directed to:

Gail M. Devito
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
(217)782-2043

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER n: RECREATIONAL FACILITIES

PART 820
ILLINOIS
SWIMMING POOL AND BATHING BEACH CODE
SUBPART A: GENERAL

Section	Definitions
820.10	Incorporated Materials
820.20	
Section	SUBPART B: SWIMMING POOLS AND BATHING BEACHES
820.100	Permits
820.110	Water Supplies
820.120	Wastewater Disposal
820.130	Food Service Sanitation
820.140	Exemptions
820.150	Variances
Section	SUBPART C: SWIMMING POOL DESIGN REQUIREMENTS
820.200	General Design Requirements
820.210	Swimming Pool Water Treatment System
820.220	Swimming Pool Bathing Preparation Facilities
820.230	Wading Pools
820.240	Spray Pools
820.250	Slides
820.260	New Equipment, Construction and Materials (Repealed)
820.270	Lazy Rivers

Section	SUBPART D: OPERATIONAL REQUIREMENTS
820.290	Applicability of Operation Requirements
820.300	Personnel
EMERGENCY	
820.310	Safety Equipment
820.315	Notification
820.320	Water Quality
820.330	Swimming Pool Closing
820.340	Operation and Maintenance
820.350	Operation Reports and Routine Sampling

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820.360 Patron Regulations
 820.370 Swimming Suits and Towels Furnished by Management
 820.380 Wading Pools, Spray Pools and Therapy Pools
 820.390 Refuse Disposal

SUBPART E: BATHING BEACH DESIGN AND OPERATION

Section Minimum Sanitary Requirements for Bathing Beaches
 820.400 Minimum Sanitary Requirements for Bathing Beaches (Renumbered)
 820.500

APPENDIX A Illustrations

ILLUSTRATION A Slope of Pool Floor
 ILLUSTRATION B Pool Walls
 ILLUSTRATION C General Pool Diving Area Dimensions
 ILLUSTRATION D Pools with Diving Facilities in Excess of Three Meters in Height
 ILLUSTRATION E Slide Dimensions (Repealed)
 ILLUSTRATION F Slide Position (Repealed)
 ILLUSTRATION G Flow Meter Installation
 ILLUSTRATION H Skimmer Construction
 ILLUSTRATION I Installation of a Pressure Sand Filter System
 ILLUSTRATION J Installation of a Pressure Diatomaceous Earth Filter System
 ILLUSTRATION K Installation of a Vacuum Filter System
 ILLUSTRATION L Chlorine Injection into Return Line to Pool Using Pump Discharge Pressure
 ILLUSTRATION M Chlorine Injection into Return Line to Pool Using External Water Source Pressure (Repealed)
 ILLUSTRATION N Chlorine Injection into Return Line to Pool Using Booster Pump

APPENDIX B Tables

TABLE A Dimensions of Swimming Pools with Diving Facilities in Excess of Three Meters in Height
 TABLE B First Aid Kit Contents
 TABLE C Flows Carried by Inlets
 TABLE D Sizing Swimming Pool Chlorinators
 TABLE E Shower, Lavatory and Toilet Fixtures Required Per Bather Load

AUTHORITY: Implementing and authorized by the Swimming Pool and Bathing Beach Act (210 ILCS 125).

SOURCE: Adopted October 22, 1974; amended and effective February 9, 1976; amended at 4 Ill. Reg. 46, p. 1283, effective November 5, 1980; amended at 5 Ill. Reg. 959, effective September 16, 1981; rules repealed and new rules adopted at 5 Ill. Reg. 13623, effective December 2, 1981; amended and codified at 8 Ill. Reg. 12366, effective July 5, 1984; amended at 11 Ill. Reg. 12308, effective July 15, 1987; amended at 14 Ill. Reg. 786, effective January 1, 1990; amended at 20 Ill. Reg. 6971, effective May 25, 1996; emergency amendment

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at 21 Ill. Reg. 7536, effective May 28, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 9357, effective May 15, 1998; amended at 23 Ill. Reg. 6079, effective May 20, 1999; emergency amendment at 23 Ill. Reg. 6551, effective May 20, 1999, for a maximum of 150 days.

SUBPART D: SWIMMING POOL OPERATIONAL REQUIREMENTS

Section 820.300 Personnel

EMERGENCY

- a) Manager/Operator. A pool manager/operator shall be designated and shall be responsible for the operation of the swimming pool facility in compliance with this Subpart.
- b) Lifeguards. Lifeguards shall be provided as specified below when persons under the age of 16 are allowed in the pool area without supervision by a parent, guardian or other responsible person at least 16 years of age. At facilities where lifeguards are not provided, a sign shall be posted that states "This facility is not protected by lifeguards. Persons under the age of 16 must be accompanied by a parent, guardian or other responsible person at least 16 years of age. Swimming alone is not recommended."

1) Certification. Lifeguards shall be currently certified as such by the American Red Cross, the National Pool and Water Park Lifeguard Training Program, the YMCA, or another lifeguard certifying organization with an equivalent lifeguard certification program, as determined by the Department. Where the certification was issued with restrictions, the certification shall be appropriate for the duty to which the lifeguard is assigned.

2) Authority. Lifeguards shall have the authority to order any person who does not comply with the rules of the Department or those of the facility to leave the pool.

3) Identification. Lifeguards shall be dressed in swimming attire and be identified as a lifeguard. A copy of each lifeguard's certificate must be available for inspection at the facility.

4) Minimum number. At facilities where lifeguards are required, the following minimum number shall be on duty:

- A) At pools, one lifeguard per 200 bathers or 2,000 square feet of water surface area, whichever will result in the lesser greater number;
- B) At water slides or drop slides, one lifeguard within 50 feet of the discharge point of the slide. Such lifeguards shall not be responsible for guarding other portions of a swimming pool or beach.
- 5) Lifeguards shall not be subject to duties that would distract their attention from proper observation of persons in the pool area, or that would prevent immediate assistance to persons in distress in the water.

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c) Attendants

At least one attendant or lifeguard shall be on duty at the top of all water slides and drop slides when the slide is in operation in order to control the traffic of individuals using the slide. Attendants shall ensure that the slide is used in a safe and responsible manner. For multiple slides having a common starting platform, an attendant shall not be assigned to monitor more than two slides concurrently.

(Source: Amended by emergency rulemaking at 23 Ill. Reg. 6551, effective May 20, 1999, for a maximum of 150 days)

NOTICE OF PUBLIC INFORMATION
ILLINOIS COURTS COMMISSION
PUBLICATION OF RULES

RULES OF PROCEDURE OF THE ILLINOIS COURTS COMMISSION

PREAMBLE

1. Authority and Purpose
2. Place of Filing

RULES

3. Procedures
4. Definitions
5. Secretary of the Commission
6. Alternate Commission Members
7. Complaints, Pleadings - Filing and Notice
8. Hearings
9. Conduct of Proceedings
10. Subpoena of Witnesses
11. Witness' Right to Representation
12. Transcript of Proceedings
13. Conclusion of Proceedings - Orders Entered by Commission

AGENCY NOTE: These rules shall be effective June 27, 1999. This effective date has been established in accordance with Section 15(g) of Article VI of the Illinois Constitution, as amended. (1970 Ill. Const., Art. VI, sec. 15(g)) This stipulation will apply to any future amendment.

PREAMBLE

1. Authority and Purpose

These rules are established pursuant to Article VI, section 15(g) of the 1970 Illinois Constitution. (1970 Ill. Const., Art., VI, sec. 15(g)). These rules set forth the procedure by which all proceedings before the Illinois Courts Commission shall be governed.

2. Place of Filing

All pleadings and notices shall be filed with the Secretary of the Illinois Courts Commission at the Administrative Office of the Illinois Courts, 840 South Spring Street, Springfield, Illinois 62704.

RULES

3. Procedures

The Rules of Procedure of the Illinois Courts Commission shall govern all proceedings of the Commission.

NOTICE OF PUBLIC INFORMATION

ILLINOIS COURTS COMMISSION

4. Definitions

"Alternate Member" means a Supreme Court judge selected by the Supreme Court, a Circuit Court judge selected by the Supreme Court, an Appellate Court judge selected by the Appellate Court, or a citizen selected by the Governor to act in place of a specific member of the Commission who is unable to participate for any reason.

"Board" means the Judicial Inquiry Board created by the Constitution.

"Chairperson" means that member of the Commission selected by the members to serve as Chairperson of the Commission for a two-year term.

"Commission" means the Courts Commission created by the Constitution.

"Complaint" means a formal written charge filed by the Judicial Inquiry Board.

"Constitution" means the 1970 Constitution of the State of Illinois, as amended, effective November 3, 1998.

"Judge" means a judge of the Supreme, Appellate, or Circuit Court, or an associate judge of the Circuit Court.

"Member" means the Supreme Court judge and the two Circuit Court judges selected by the Supreme Court, the two Appellate Court judges selected by the Appellate Court, and the two citizens selected by the Governor to serve on the Commission.

"Secretary" means the person designated by the Commission to perform that function.

The terms "Service" and "Notice" shall include service or notice by personal delivery, certified mail, or registered mail.

5. Secretary of the Commission

The Director of the Administrative Office of the Illinois Courts is designated as Secretary in all proceedings before the Commission. The Director is empowered to perform those duties ordinarily performed by a clerk of a court of record in this State and such other duties as may be delegated by the Commission. The Director shall keep and preserve all records of the Commission. The Director may designate an individual from the Administrative Office to serve in his or her stead at hearings and meetings of the Commission.

6. Alternate Commission Members

(a) If a member is absent or unable to participate in a given proceeding or is disqualified from participation in any proceeding pursuant to

NOTICE OF PUBLIC INFORMATION

ILLINOIS COURTS COMMISSION

sub-paragraph (h) of Section 15 of Article VI of the Constitution, an alternate member shall replace him or her.

(b) When a member who is an appellate court judge is absent or unable to participate in a proceeding or is disqualified from participating, an alternate appellate court judge shall replace him or her. Alternate appellate court judges shall serve on a rotating basis. The numerical order of the Judicial Districts from which the alternates were selected (1 through 5) shall determine the order of the alternates' rotation. If an alternate is also disqualified, absent, or unable to participate, the next alternate shall serve. Any alternate who is disqualified, absent, or unable to participate shall be placed at the end of the rotation.

(c) When a member who is a circuit judge is absent or unable to participate in a proceeding or is disqualified from participating, an alternate circuit judge shall replace him or her. Alternate circuit judges shall serve on a rotating basis. The numerical order of the Judicial Districts from which the alternates were selected (1 through 5) shall determine the order of the alternates' rotation. If an alternate is also disqualified, absent, or unable to participate, the next alternate shall serve. Any alternate who is disqualified, absent, or unable to participate shall be placed at the end of the rotation.

(d) If a member selected by the Governor is absent or unable to participate in a proceeding or is disqualified from participating, an alternate member selected by the Governor shall replace him or her.

7. Complaints, Pleadings - Filing and Notice

(a) Formal disciplinary proceedings respecting any judge shall be commenced by the filing of a complaint by the Judicial Inquiry Board in the Office of the Courts Commission Secretary in Springfield. The complaint shall specify in plain and concise language the charges against the judge and the allegations of fact upon which such charges are based, and it shall advise the judge of his or her right to file responsive pleadings to the charges within 21 days after service of notice upon the judge. No other process or summons shall be necessary to institute said proceedings.

(b) Service of notice of filing of a complaint shall be made by the Secretary by sending the notice with a copy of the complaint to the judge at the judge's chambers or to the address of the judge's last known residence. In the alternative, service may be made in a manner consistent with rules for service of process in civil cases in Illinois.

(c) Notice of the date, time and place of the hearing shall be served upon the judge and an attorney who files an appearance on behalf of the judge not less than 21 days prior to the date upon which the hearing is set.

NOTICE OF PUBLIC INFORMATION

ILLINOIS COURTS COMMISSION

- (d) The judge shall file responsive pleadings in the Office of the Secretary in Springfield not more than 21 days following the service of the notice and the copy of the complaint upon him or her. For good cause shown, the Commission may extend the time for filing such pleadings. The pleadings shall be in clear and concise language designed to fairly respond to the charges brought against the judge.

8. Hearings

- (a) The Commission shall conduct public hearings at such place or places in the State as it shall determine will best serve the public interest.
- (b) Notwithstanding the failure of any judge to file responsive pleadings or to appear at the hearing set by the Commission, the Commission may proceed with the hearing, provided that all evidence in support of the complaint shall be heard by the Commission in a public hearing.

9. Conduct of Proceedings

- (a) All proceedings before the Commission shall be conducted as expeditiously as possible. The Commission may delegate to any member such matters for preliminary determination as it may deem desirable or necessary to expedite the proceedings.
- (b) The provisions of the Code of Civil Procedure, Illinois Supreme Court Rules, and the rules of evidence applicable in civil cases in Illinois shall govern Commission proceedings, except as otherwise provided by these rules or by law. The allegations of the complaint must be proved by clear and convincing evidence.
- (c) The Commission shall have the right to take judicial notice of matters of which courts of record of this State may take judicial notice.

10. Subpoena of Witnesses

The Secretary shall prepare and cause to be issued subpoenas returnable before the Illinois Courts Commission at the request of any party. Witnesses shall be entitled to witness fees and expenses as provided for in the Code of Civil Procedure.

11. Witness' Right to Representation

Any witness at any hearing of the Commission shall, upon leave of the Commission, have the right to be represented by counsel, but such counsel shall not participate in the hearing, or cross-examine witnesses, except by permission of the Commission. The examination of all witnesses shall be conducted by counsel for the parties, and may also be conducted by any member of the Commission.

NOTICE OF PUBLIC INFORMATION

ILLINOIS COURTS COMMISSION

12. Transcript of Proceedings

A transcript of proceedings shall be made and kept whenever the Commission meets as a body to receive evidence, hear testimony, or hear the arguments of counsel regarding matters pending before the Commission. However, a transcript will not be made and kept where the Commission delegates to any member matters for preliminary determination unless a party or the Commission requests a transcript of such proceeding. All proceedings of the Courts Commission or all orders entered by the Commission, except deliberations of the Commission or as otherwise noted herein, shall be matters of public record. All orders of the Commission shall be in writing and shall be preserved by the Secretary in the permanent records of the Commission.

13. Conclusion of Proceedings - Orders Entered by Commission

At the conclusion of a hearing, the Commission shall, within a reasonable time, enter an appropriate order, exercising the authority vested in it by sub-paragraph (e) of Section 15 of Article VI of the Constitution. The concurrence of at least four members of the Commission shall be necessary for a valid order. The decision of the Commission shall be final.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 11, 1999 through May 17, 1999 and have been scheduled for review by the Committee at its June 22, 1999 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
6/25/99	Department of Transportation, Repeal of Selection of Non-Architect-Engineering Consultant Firms (44 Ill Adm Code 635)	3/26/99 23 Ill Reg 3685	6/22/99
6/25/99	Department of Transportation, Repeal of Railroad Maintenance by Contract (44 Ill Adm Code 655)	3/26/99 23 Ill Reg 3675	6/22/99
6/25/99	Department of Transportation, Repeal of Highway Construction by Contract (44 Ill Adm Code 675)	3/26/99 23 Ill Reg 3664	6/22/99
6/25/99	Department of Transportation, Repeal of Airport Construction Contracts (44 Ill Adm Code 685)	3/26/99 23 Ill Reg 3617	6/22/99

PROCLAMATIONS

99-169

AMIGOS DE SER DAY

WHEREAS, SER Jobs for Progress, Inc. is a national organization that focuses on the unemployment and training needs of Hispanic Americans and has been recognized throughout the nation and by Congress as "a community-based organization of demonstrated effectiveness;" and

WHEREAS, since 1987, SER (Service, Employment and redevelopment) has provided employment and training services to thousands of individuals in our state; and

WHEREAS, a group of our nation's major corporations has forged a new partnership with SER to provide private assistance in the employment, education and training process; and

WHEREAS, the Amigos de SER Business Recognition Luncheon will be held on May 13, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 13, 1999, as AMIGOS DE SER DAY in Illinois.

Issued by the Governor April 22, 1999.

Filed by the Secretary of State April 30, 1999.

99-170

THE CERMAK ROAD CHAMBER OF COMMERCE
CINCO DE MAYO SCHOLARSHIP BANQUET DAY

WHEREAS, the Hispanic-American population in Illinois continues to grow significantly and contributes greatly to the economic, cultural and civic prosperity of our state; and

WHEREAS, Hispanic-Americans have demonstrated their dedication to the idea and principles of the United States through organizations such as the Cermark Road Chamber of Commerce; and

WHEREAS, the Cermark Road Chamber of Commerce provides leadership for the Hispanic business community; and

WHEREAS, the Cermark Road Chamber of Commerce has a proven history of community and social development and provides scholarships to deserving Hispanic students; and

WHEREAS, the Cermark Road Chamber of Commerce will host its Cinco de Mayo Scholarship Banquet on Friday, April 30, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 30, 1999, as THE CERMAK ROAD CHAMBER OF COMMERCE CINCO DE MAYO SCHOLARSHIP BANQUET DAY in Illinois.

Issued by the Governor April 22, 1999.

Filed by the Secretary of State April 30, 1999.

99-171

COMMUNITIES AGAINST GANGS WEEK

WHEREAS, gangs in Illinois and throughout the country are a pervasive and dangerous force in our communities; and

WHEREAS, gangs are part of our urban and rural communities; and

WHEREAS, every child and every family is at risk from gangs because gang

activity occurs in the wealthiest residential areas and the poorest neighborhoods; and
 WHEREAS, gang activity does not discriminate and no one is immune from the threat of gangs; and

WHEREAS, Communities Against Gangs was founded in 1994 to make all communities, large and small, aware of our gang problem; and
 WHEREAS, Communities Against Gangs is dedicated to ending the threat of gangs in our communities; and
 WHEREAS, Communities Against Gangs has made our state a safer place to live;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 10-17, 1999, as COMMUNITIES AGAINST GANGS WEEK in Illinois.

Issued by the Governor April 22, 1999.

Filed by the Secretary of State April 30, 1999.

99-172

DRINKING WATER WEEK

WHEREAS, safe drinking water is essential to human life; and
 WHEREAS, Illinois is blessed with abundant quantities of surface groundwater resources that provide drinking water in amounts adequate to the health, comfort and safety of its residents; and

WHEREAS, dedicated water treatment operators have actively supported programs and regulations designed to consistently improve both the quantity and quality of safe drinking water available to Illinois residents as well as millions of visitors annually; and

WHEREAS, protection of drinking water sources were among the first community projects undertaken as new settlers moved into the Illinois Territory nearly two centuries ago; and

WHEREAS, programs to regulate the safety of drinking water have been in place in Illinois for nearly a century; and

WHEREAS, there are 4,364 dedicated men and women currently certified as drinking water operators in Illinois; and
 WHEREAS, Illinois citizens can confidently look forward to a new century of safe, clean drinking water;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-8, 1999, as DRINKING WATER WEEK in Illinois.

Issued by the Governor April 22, 1999.

Filed by the Secretary of State April 30, 1999.

99-173

EXCEPTIONAL CHILDREN'S WEEK

WHEREAS, the observance of Exceptional Children's Week has grown steadily since its inception in Chicago in 1959; and

WHEREAS, the State of Illinois has set aside a week in May for this occasion since 1972, and it is now a national event; and

WHEREAS, the purpose of Exceptional Children's Week is to create public awareness of the special needs of handicapped and gifted children and to make known the educational services available to them in order that educational facilities, methods, and materials can be developed to help each child have a brighter future; and

WHEREAS, all areas of exceptional need deserve public support and involvement to ensure that appropriate education is available to every child in Illinois, whether that child is physically, mentally, or emotionally handicapped, or gifted;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-8, 1999, as EXCEPTIONAL CHILDREN'S WEEK in Illinois and ask that all citizens be personally committed to guaranteeing adequate education for all children in their communities.

Issued by the Governor April 22, 1999.

Filed by the Secretary of State April 30, 1999.

99-174

MULTIPLE CHEMICAL SENSITIVITY AWARENESS WEEK

WHEREAS, Multiple Chemical Sensitivity (MCS) is a condition caused by exposure to toxic chemicals in our air, water and food; and

WHEREAS, MCS is a widespread condition that affects people of all ages and backgrounds; and

WHEREAS, many workers have been affected by MCS. MCS often results in major personal, financial, employment, housing, health and social consequences; and

WHEREAS, the health of the general population is at risk from chemical exposures that may be preventable by reducing or avoiding chemicals in our environment;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 10-16, 1999, as MULTIPLE CHEMICAL SENSITIVITY AWARENESS WEEK in Illinois.

Issued by the Governor April 22, 1999.

Filed by the Secretary of State April 30, 1999.

99-175

ADULT EDUCATION AND LITERACY WEEK

WHEREAS, adult low literacy is a hidden problem; and

WHEREAS, a literate society is the cornerstone of a free society; and
 WHEREAS, low literacy impedes national economic success, reduces productivity, increases crime and creates other costs to society which escalate as a result of rapid technological advances; and

WHEREAS, adult education and literacy promotes the lifelong process of self-improvement, increases self-esteem, provides a sense of empowerment and increases a person's ability to reach their maximum potential; and

WHEREAS, adult education and literacy services are open to all citizens regardless of age, social or economic status;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 25-May 1, 1999, as ADULT EDUCATION AND LITERACY WEEK in Illinois.

Issued by the Governor April 23, 1999.

Filed by the Secretary of State April 30, 1999.

99-176

CORNELIA DE LANCE SYNDROME DAY

WHEREAS, the good health and general well-being of the people of Illinois is strengthened by their knowledge and understanding of a rare birth defect

known as Cornelia de Lange Syndrome (CdLS); and WHEREAS, babies born with CdLS are usually develop at the slower rate, both mentally and physically; and WHEREAS, the Cornelia de Lange Syndrome Foundation, Inc. is a non-profit international family support organization founded by concerned parents of children. The foundation is a leading advocate in offering parental and family support while increasing public awareness about CdLS; and WHEREAS, the Cornelia de Lange Syndrome Foundation promotes research and helps people with CdLS make informed decisions throughout their lifetime; THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as CORNELIA DE LANGE SYNDROME DAY in Illinois. Issued by the Governor April 23, 1999. Filed by the Secretary of State April 30, 1999.

99-177

LITHUANIAN FOLK DANCE ENSEMBLE "GRANDIS" DAY

WHEREAS, the Lithuanian Youth ensemble "Grandis" is celebrating its 40th anniversary this year, preserving and promoting the rich history and heritage of the Lithuanian people; and WHEREAS, "Grandis" started out with a group of 12 student dancers and today, the ensemble has grown to more than 100 dancers from four to 74-years-old; and WHEREAS, the ensemble along with other Lithuanian Americans will be stepping into the new millennium with the XI Lithuanian Folk Dance Festival on July 2nd, 2000, in Mississauga, Ontario, Canada; and WHEREAS, Illinois is proud to have the Lithuanian Folk Dance Ensemble "Grandis" as an integral part of its cultural life; and WHEREAS, the ensemble's 40-year Celebration will be held on Saturday, May 15, 1999, at the Willowbrook Ballroom in Willow Springs; THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as LITHUANIAN FOLK DANCE ENSEMBLE "GRANDIS" DAY in Illinois. Issued by the Governor April 23, 1999. Filed by the Secretary of State April 30, 1999.

99-178

POLISH CONSTITUTION DAY

WHEREAS, the Polish Constitution Day Parade, honoring the 208th anniversary of the adoption of the Polish Constitution of 1791, will take place Saturday, May 1, 1999, and its theme will be "Polonia's Organizations: Our Strength And Our Pride;" and WHEREAS, Adam Oycenko will serve as Parade Chairman and the 1999 Parade Queen is Barbara Gwizdz; and WHEREAS, Edward Metlica, President of the Veterans of the 5th Infantry Division of General Anders and a veteran of the Battle of Monte Casino, is the Parade Grand Marshall; and WHEREAS, the Governor's Office of Ethnic Affairs will sponsor the Polish Cultural Exhibit at the James R. Thompson Center as well as a program commemorating the Polish Constitution Day immediately following the parade; and WHEREAS, the Chicago Society of the Polish National Alliance will hold a

Pre-Parade Brunch at the Holiday Inn Chicago and the Polish Constitution Day Banquet, sponsored by the Polish Constitution Day Committee, will be held at the Starlight Inn in Schiller Park, Illinois; and WHEREAS, the Annual Wreath Laying Ceremony, sponsored by the Polish National Alliance, will take place at the Tadeusz Kosciuszko Statue on May 2, 1999, at the Solidarity Parkway in Chicago; and WHEREAS, the Polish National Alliance Commemorative Mass at Holy Trinity Church will be celebrated by Bishop Stanislaw Stefanek of Lomza Diocese, Poland, on Sunday, May 2, 1999; and WHEREAS, the Polish American Police Association's 35th Annual Awards Banquet celebrating Polish Constitution Day will honor Sister Stella Louise, President and CEO of St. Mary of Nazareth Hospital Center, and Sergeant Robert "Rocky" Nowaczyk, Illinois State Police; and WHEREAS, the Polish Constitution of 1791 was the first liberal declaration in Europe which called for rule by majority and democratic principals of liberty and religious freedom; and WHEREAS, Polish Americans contributed greatly to the State of Illinois in all areas including arts, business, science, medicine, law, government, and public services;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 3, 1999, as POLISH CONSTITUTION DAY in Illinois.

Issued by the Governor April 23, 1999.

Filed by the Secretary of State April 30, 1999.

99-179

SHARED HOUSING WEEK

WHEREAS, shared housing provides affordable living arrangements that offer economic benefit, companionship and community living for hundreds of Illinois citizens; and WHEREAS, shared housing includes shared group residences for older persons, special populations and programs that match unrelated individuals to share homes and apartments; and WHEREAS, shared housing offers participants independence, security and help with everyday chores; and WHEREAS, shared housing provides an affordable housing option to people of all ages in transitional periods; and WHEREAS, shared housing programs are sponsored by recognized community-based, not-for-profit organizations where applicants are carefully screened and monitored by professionals to insure a compatible match or a comfortable shared group living arrangement;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 16-22, 1999, as SHARED HOUSING WEEK in Illinois.

Issued by the Governor April 23, 1999.

Filed by the Secretary of State April 30, 1999.

99-180

STUDENT COUNCIL WEEK

WHEREAS, student councils across our state encourage students to take on a leadership role among their peers and help them develop skills to prepare for future success; and

WHEREAS, extra-curricular activities such as student council allow students to maintain an adequate balance between academics and out-of-classroom experiences; and

WHEREAS, many leaders within our state and nation can trace their roots back to student council throughout their schooling; and

WHEREAS, the Illinois Association of Student Councils (IASC), working to maintain the integrity of student councils across our state, is holding a convention April 29-May 1, 1999; and

WHEREAS, this convention allows student leaders from across the State of Illinois to exchange ideas and experience leadership training; and

WHEREAS, students leaders, in addition to the IASC, should be commended for their continued hard work and efforts;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 26-May 1, 1999, as STUDENT COUNCIL WEEK in Illinois.

Issued by the Governor April 23, 1999.
Filed by the Secretary of State April 30, 1999.

99-181

DUKE ELLINGTON DAY

WHEREAS, Duke Ellington is one of America's finest composers who is as revered and remembered as George Gershwin, Cole Porter and Irving Berlin; and

WHEREAS, Duke Ellington wrote thousands of songs, hundreds of which are American jazz classics; and

WHEREAS, Duke Ellington is one of the most influential jazz composers of 20th century America; and

WHEREAS, Duke Ellington would have celebrated his 100th birthday on April 29, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 29, 1999, as DUKE ELLINGTON DAY in Illinois.

Issued by the Governor April 26, 1999.
Filed by the Secretary of State April 30, 1999.

99-182

GENEVA SCOTT OUTREACH SERVICES DAY

WHEREAS, Geneva Scott Outreach Services is a non-profit organization that is celebrating its 17th anniversary; and

WHEREAS, Geneva Scott Outreach Services provides various community services to the greater Chicagoland area including: free legal clinics, health screenings and clothing and food donations; and

WHEREAS, Geneva Scott Outreach Services' motto is "People Helping People;" and

WHEREAS, Geneva Scott Outreach Services will host its scholarship award celebration on May 15, 1999, at Fellowship M.B. Church in Chicago;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as GENEVA SCOTT OUTREACH SERVICES DAY in Illinois.

Issued by the Governor April 26, 1999.
Filed by the Secretary of State April 30, 1999.

99-183

MANUFACTURED HOUSING MONTH

WHEREAS, housing affordability is a major concern for all the citizens of the State of Illinois; and

WHEREAS, innovative construction methods, attractive financing, and a desire for quality housing have increased the demand for manufactured homes; and

WHEREAS, at approximately one-half the cost of site-built housing, manufactured housing offers a safe, attractive, and affordable avenue to home ownership for Illinois residents; and

WHEREAS, the Illinois Manufactured Housing Association continues to focus the attention of the citizens of this state on innovative land planning, product technology, community development and consumer awareness; and

WHEREAS, the association continues to focus the attention of local and state governments, as well as that of the consumer, on the pioneering and ever expanding efforts of the manufactured housing industry to assume its role in the affordable housing solution and the desirability of this type of home ownership;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as MANUFACTURED HOUSING MONTH in Illinois.

Issued by the Governor April 26, 1999.
Filed by the Secretary of State April 30, 1999.

99-184

NATIONAL ASSOCIATION OF INSURANCE WOMEN WEEK

WHEREAS, professional insurance women make a significant contribution to the risk and insurance industry; and

WHEREAS, they are increasingly effective locally and statewide in promoting public awareness of important issues such as tort reform, automobile safety, and drunk driving; and

WHEREAS, they are committed to maintaining the highest professional standards and ethics in the insurance industry; and

WHEREAS, professional insurance women are working effectively on a national level as the National Association of Insurance Women (International), which has reached a membership of more than 15,000; and

WHEREAS, these insurance professionals have earned recognition for their outstanding accomplishments in the economically vital insurance industry;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15-22, 1999, as NATIONAL ASSOCIATION OF INSURANCE WOMEN WEEK in Illinois in honor of their important and diverse roles throughout the risk and insurance industry.

Issued by the Governor April 26, 1999.
Filed by the Secretary of State April 30, 1999.

99-185

PARKINSON'S DISEASE AWARENESS MONTH

WHEREAS, according to the National Parkinson's Foundation and the National Institute of Health, there are approximately 1.5 million people in the United States diagnosed with Parkinson's Disease; and

WHEREAS, the symptoms of Parkinson's Disease -- stiffness, tremor, rigidity, slowness, poor movement and difficulty with balance and speaking -- are often mistaken for other conditions especially in the younger adult or in

the older adult as a normal part of the aging process; and
WHEREAS, anti-Parkinsonian drugs can control only some of the symptoms of Parkinson's Disease for a short period of time and cause, in many cases, disabling side effects; and

WHEREAS, surgical procedures likewise offer only temporary lessening of certain symptoms and are not a substitute for drugs; and

WHEREAS, April 1999 has been proclaimed as Worldwide Parkinson's Awareness Month and April 11, 1999, has been proclaimed to be Worldwide Awareness Day for all to recognize the need for more research and help in dealing with the devastating effects of Parkinson's Disease; and

WHEREAS, increased education and research are needed to help find more effective treatments and ultimately a cure for Parkinson's Disease;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 1999 as PARKINSON'S DISEASE AWARENESS MONTH in Illinois.

Issued by the Governor April 26, 1999.

Filed by the Secretary of State April 30, 1999.

99-186

JILL HUTCHISON DAY

WHEREAS, Jill Hutchison is a one-time president of the Women's Basketball Coaches Association. In 1996, she was voted the Rawlings-Missouri Valley Conference Coach of the Year, was elected Kodak District Coach of the Year, and was a finalist for National Coach of the Year; and

WHEREAS, Jill Hutchison, who has 453 career coaching victories at Illinois State University, and her teams have won four conference championships and earned nine post-season tournament bids; and

WHEREAS, Jill Hutchison is acknowledged as the winningest coach in the Missouri Valley Conference and her teams ranks 19th among all active Division I coaches in career coaching victories; and

WHEREAS, Jill Hutchison has received the Carol Eckman Award for service to the WBCA and the E. Burton Mercier Alumni Service Award for leadership at Illinois State; and

WHEREAS, in every semester for the past decade, her ISU team has kept its grade point average above 3.0. Star players from the team have excelled academically as well as going on to play in the Olympics and the ABA; and

WHEREAS, Jill Hutchison is the author of Coaching Women's Basketball Successfully; and

WHEREAS, Jill Hutchison graduated from the University of New Mexico before earning her Master's Degree at Illinois State and her Doctorate from the University of North Carolina-Greensboro; and

WHEREAS, upon her arrival at Illinois State University in 1968, she worked as a graduate assistant under Laurie Mabry and Phebe Scott, women's sports pioneers;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim March 2, 1999, as JILL HUTCHISON DAY in Illinois and congratulate her on her retirement as Women's Basketball Coach from Illinois State University.

Issued by the Governor April 27, 1999.

Filed by the Secretary of State April 30, 1999.

99-187

LIONESS CAMEL DAY

WHEREAS, the Bohemian Club Ceska Beseda was incorporated on March 29, 1899, to promote Czech art, music, literature and to encourage friendly and social relations among its members; and

WHEREAS, the Lioness Clubs of Illinois tirelessly donate their time to ongoing efforts to help the blind, visually impaired, deaf, and hearing impaired; and

WHEREAS, the Lioness Clubs of Illinois are sponsoring Lioness Caramel Day for Sight and Sound throughout our state on May 7, 1999; and

WHEREAS, Caramel Day is being held under the auspices of the Lions of Illinois Foundation, a nonprofit organization; and

WHEREAS, Illinois residents will benefit greatly from funds raised on Caramel Day;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 7, 1999, as LIONESS CAMEL DAY in Illinois and urge citizens to support this worthwhile endeavor.

Issued by the Governor April 27, 1999.

Filed by the Secretary of State April 30, 1999.

99-188

TOM PADGETT DAY

WHEREAS, Tom Padgett began his career as a rank and file member of organized labor in the United Retail Workers in 1958 as an employee of Jewel Food stores; and

WHEREAS, in 1967, Mr. Padgett was hired as a field representative for the URW (which was one of several unions that merged in 1979 to become the UFCW) where his skills were recognized as an Union Representative, a Collective Bargaining Negotiator and an Union Organizer; and

WHEREAS, through the late 1960s and the 1970s, he was assigned to numerous special organizing projects in Central Illinois; and

WHEREAS, Local 881 UFCW President Ron Powell appointed Tom Padgett to the post of Director of Field Operations in 1983; and

WHEREAS, during the 1980s, Local 881 UFCW solidified and added to its membership base through continuous organizing campaigns and a number of mergers with other UFCW locals in part due to Padgett's work and dedication; and

WHEREAS, in 1988, Tom Padgett was appointed to the position of Local 881 UFCW Executive Vice President where he helped to put in place many of the methods and policies that Local 881's field staff follow today; and

WHEREAS, Tom Padgett served the working men and women of Local 881 UFCW while being a devoted husband to his wife, Marion, father, and grandfather; and

WHEREAS, Tom Padgett is retiring after 40 years in the retail food business including 32 years of service and dedication to working families;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 20, 1999, as TOM PADGETT DAY in Illinois.

Issued by the Governor April 27, 1999.

Filed by the Secretary of State April 30, 1999.

99-189

CESKA BESEDA DAY

WHEREAS, originally the Bohemian Club met at the Libuse Hall on 12th Street near Robey, and 10 years later the Club purchased a building on Douglas Boulevard; and

WHEREAS, membership of the Club has included Mayor Cermak of Chicago, Governor Otto Kerner and the mayors of suburban cities, judges, aldermen and prominent business people; and

WHEREAS, the celebrities which the Ceska Beseda has honored include Jan Kubelik, violinist; Albin Polasek, sculptor; Alphonse Mucha, artist; Rafael Kubelik, symphony orchestra conductor; Ambassador Vopicka, past member and President of the Beseda Club; Rudolph Firkušný, pianist; and Jarmila Novotná, opera singer; and

WHEREAS, the Ceska Beseda is to be commended for its charitable work and for promoting the rich Czech culture, heritage and tradition; and

WHEREAS, the Ceska Beseda is celebrating its 100th anniversary at Carlisle in Lombard featuring Franz Benteler & His Royal Strings;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim March 29, 1999, as CESKA BESEDA DAY in Illinois.

Issued by the Governor April 28, 1999.
Filed by the Secretary of State April 30, 1999.

99-190

COMMUNITY ACTION MONTH

WHEREAS, community action agencies were created when the Economic Opportunity Act of 1964 was signed into law; and

WHEREAS, community action agencies have a 35-year history of promoting self-sufficiency for those with a limited income; and

WHEREAS, community action agencies have made an essential contribution to individuals and families in Illinois by providing them with innovative and cost-effective programs; and

WHEREAS, community action agencies are needed as major participants in the reform of the welfare system; and

WHEREAS, welfare reform in Illinois has benefited from the state's partnership with community action agencies; and

WHEREAS, those of limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live with dignity;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as COMMUNITY ACTION MONTH in Illinois.

Issued by the Governor April 28, 1999.
Filed by the Secretary of State April 30, 1999.

99-191

MUSEUM DAY

WHEREAS, museums throughout Illinois are dedicated to promoting cultural development through special activities or programs, and acquiring, conserving, preserving, studying, interpreting, enhancing, and in particular, organizing and continuously exhibiting specimens, artifacts, articles, documents and other things of historical, anthropological, archaeological, industrial, scientific or artistic import, to the public for its enlightenment and enjoyment; and

WHEREAS, museums play a critical role in enhancing education by providing vital services that supplement the learning process of Illinois school children and that stimulate creative education partnerships between museums and schools; and

WHEREAS, museums serve as statewide, national and international attractions and thus represent a special opportunity for tourism and economic development to enrich the quality of life for all citizens; and

WHEREAS, in 1977, the International Committee on Museums (ICOM) created International Museum Day to be held each year on the 18th of May and ICOM highlighted the idea of enjoyment by choosing "Pleasures of Discovery" as the theme for 1999; and

WHEREAS, in conjunction with ICOM, Illinois will celebrate museums as places to acquire knowledge and as places that provide leisure, pleasure and entertainment for all ages;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 18, 1999, as MUSEUM DAY in Illinois.

Issued by the Governor April 28, 1999.
Filed by the Secretary of State April 30, 1999.

99-192

ALL-ILLINOIS ACADEMIC TEAM RECOGNITION DAY
AND COMMUNITY COLLEGE STUDENT LOBBY DAY

WHEREAS, the Illinois Community College Board will set aside the third Wednesday of the month of March of each year as Recognition Day for community college students nominated to the Phi Theta Kappa Honor Society All-Illinois Academic Team and as Recognition Day for community college students in attendance for Student Lobby Day; and

WHEREAS, this day has been formally constituted to include those Illinois community college students named by their college presidents as having achieved high academic standards and noteworthy community involvement; such recognition of these students and the All-Illinois Academic Team program promotes the excellent educational quality of Illinois' community college system; and

WHEREAS, this day has been formally constituted to recognize the community college students of the State of Illinois that advocate educational issues concerning community colleges at the State Capitol in Springfield, Illinois; and

WHEREAS, such recognition will officially occur with a ceremony in the State Capitol Rotunda on the third Wednesday of the month of March each year;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim the third Wednesday of the month of March each year as ALL-ILLINOIS ACADEMIC TEAM RECOGNITION DAY AND COMMUNITY COLLEGE STUDENT LOBBY DAY in Illinois.

Issued by the Governor April 29, 1999.
Filed by the Secretary of State May 10, 1999.

99-193

RESIDENT COUNCILS MAKE A DIFFERENCE DAY

WHEREAS, Resident Councils offer an opportunity for residents to assume a leadership role within their retirement facility; and

WHEREAS, Resident Councils offer an opportunity for residents to discuss

and make recommendations about facility policies and procedures affecting their care, treatment and quality of life; and

WHEREAS, Resident Councils offer an opportunity for residents to support each other, plan resident and family activities and participate in educational events; and

WHEREAS, Illinois retirement communities and nursing homes, through Resident Councils, are continually striving to maximize the resident's independence, leadership skills, physical and mental well-being and provide members with an active and engaging activity that benefits their community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 12, 1999, as RESIDENT COUNCILS MAKE A DIFFERENCE DAY in Illinois.

Issued by the Governor April 29, 1999.

Filed by the Secretary of State May 10, 1999.

99-194

MUSIC WEEK

WHEREAS, the pursuit of music, whether it be through studying, composing, listening, performing, or participating, enriches people's lives; and

WHEREAS, music is a vital part of the culture of every civilized nation;

and

WHEREAS, the people of Illinois are a great music-producing and music-loving state; and

WHEREAS, the National Federation of Music Clubs provides an opportunity for the organized musical forces of the country, as well as religious and educational and civic groups, to join music lovers in emphasizing the joys and pleasures to be gained from making music through the observance of National Music Week; and

WHEREAS, "Music ... A Gift to Share" will be the theme of the 76th annual observance of National Music Week which will be celebrated May 2-9, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-9, 1999, as MUSIC WEEK in Illinois.

Issued by the Governor April 30, 1999.

Filed by the Secretary of State May 10, 1999.

99-195

EXCELLENCE IN SCOUTING DAY

WHEREAS, the Boy Scouts of America is a national organization designed to give the youth of our community fun and educational alternatives to gangs and drugs; and

WHEREAS, the Northwest Suburban Council annually recognizes adult volunteers who give their time and moral commitment to the programs of the Boy Scouts of America; and

WHEREAS, the Northwest Suburban Council also annually recognizes adult volunteers who, through their meaningful contributions to the programs of the scouting movement, have been selected to receive the Silver Beaver Award; and

WHEREAS, the State of Illinois does hereby recognize the achievements of those scouts who have attained the rank of Eagle Scout;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 21, 1999, as EXCELLENCE IN SCOUTING DAY in Illinois.

Issued by the Governor May 3, 1999.

Filed by the Secretary of State May 10, 1999.

99-196

KIDS DAY

WHEREAS, the health and well-being of children is our responsibility; and

WHEREAS, the safety of our children is a significant concern for parents, community leaders and health care providers; and

WHEREAS, environmental welfare is of universal concern and deserves the utmost attention; and

WHEREAS, if started in childhood, proper health, safety and environmental habits can be maintained for a lifetime, producing a valued member of society and enhancing our communities;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as KIDS DAY in Illinois.

Issued by the Governor May 3, 1999.

Filed by the Secretary of State May 10, 1999.

99-197

LATIN AMERICAN POLICE ASSOCIATION DAY

WHEREAS, the Latin American Police Association (LAPA) was first organized in the fall of 1961 with 21 members; and

WHEREAS, the LAPA has the distinction of being the first ethnic law enforcement group in the City of Chicago and Cook County; and

WHEREAS, the LAPA is a fraternal organization that was created to assist Hispanics in the field of law enforcement; and

WHEREAS, the membership of LAPA is comprised of any Hispanic in the field of law enforcement; and

WHEREAS, the LAPA will celebrate its Annual Banquet at the Martinique Grand Ballroom in Chicago on May 15, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as LATIN AMERICAN POLICE ASSOCIATION DAY in Illinois.

Issued by the Governor May 3, 1999.

Filed by the Secretary of State May 10, 1999.

99-198

LIONS OF ILLINOIS DAY

WHEREAS, the Lions of Illinois Foundation has provided programs and services to the blind, visually impaired, deaf and the hearing impaired of Illinois; and

WHEREAS, the Lions of Illinois Foundation will celebrate its 25th Anniversary on May 22, 1999; and

WHEREAS, the vision of Lions of Illinois Foundation is to protect, preserve and secure the hopes and dreams of the blind, visually impaired, deaf and the hearing impaired of Illinois; and

WHEREAS, every Illinois resident benefits from the Lions of Illinois Foundation;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 22, 1999, as LIONS OF ILLINOIS DAY in Illinois.

Issued by the Governor May 3, 1999.

Filed by the Secretary of State May 10, 1999.

99-199

MARINE CORPS LEAGUE WEEK

WHEREAS, the Marine Corps League, Department of Illinois is hosting the 55th Annual State Convention in Springfield at the Ramada Inn South Plaza from June 23-27, 1999; and

WHEREAS, the Marine Corps League holds sacred the history of these men and women who have given their lives for the principles of freedom; and WHEREAS, the Marine Corps League fully concurs in the principles of readiness to fight for our freedom and the freedom of the United States of America;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 23-27, 1999, as MARINE CORPS LEAGUE WEEK in Illinois and request and encourage all citizens to show a friendly spirit of cooperation to all the former and active duty Marines.

Issued by the Governor May 3, 1999.

Filed by the Secretary of State May 10, 1999.

99-200

CORRECTIONAL OFFICERS WEEK

WHEREAS, the public safety and welfare of all Illinois citizens is enhanced by the professional supervision of convicted felons by the correctional officers of the Illinois Department of Corrections; and

WHEREAS, the men and women serving the State of Illinois as correctional officers must remain on constant watch to provide safe, humane, constitutional and secure incarceration to the inmates; and

WHEREAS, these public servants must face potentially dangerous situations with swift and appropriate action; and

WHEREAS, correctional officers in Illinois have made the Department of Corrections one of the finest prison systems in the United States through their tireless and often heroic actions;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-8, 1999, as CORRECTIONAL OFFICERS WEEK in Illinois.

Issued by the Governor May 4, 1999.

Filed by the Secretary of State May 10, 1999.

99-201

GOOD SAM CLEAN-UP DAY

WHEREAS, driving a recreational vehicle is a clean, healthful and wholesome recreational activity enjoyed by the people of this state; and WHEREAS, the Good Sam Club, the world's largest RV owners' club comprised of many Illinois residents, is staging a nationwide trash cleanup; and

WHEREAS, this activity is beneficial to all, and deserves widespread support among the population; and

WHEREAS, we wish to encourage Good Sam in its efforts to make a better world;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 22, 1999, as GOOD SAM CLEAN-UP DAY in Illinois.

Issued by the Governor May 4, 1999.

Filed by the Secretary of State May 10, 1999.

99-202

HISTORIC PRESERVATION WEEK

WHEREAS, every community, whether its history is measured in centuries or decades, has landmark buildings and neighborhoods that help define its character; and

WHEREAS, active historic preservation efforts save our heritage, allowing us to see where we have been and what we might become, all while encouraging citizens to become involved in enhancing their community's appearance and livability, and laying the foundation for an even greater future; and

WHEREAS, rehabilitating historic buildings makes good environmental sense, as it recycles old buildings for modern use, saving natural resources and money; and

WHEREAS, partnerships between public and private entities are an effective method of fostering historic preservation, as exemplified by the historic preservation tax incentive programs, available to property owners as a way of recognizing and rewarding the restoration and use of historic properties; and

WHEREAS, this public-private partnership for historic preservation throughout the state includes such programs as the downtown revitalization efforts of the Illinois Main Street program, the preservation priority of the Certified Local Government program, the nationwide significance of the National Register of Historic Places program, and the practical use of historic resources through the Smart Growth initiative; and

WHEREAS, these public-private partnerships are a daily mission of the Illinois Historic Preservation Agency and several other state government entities; and

WHEREAS, The National Trust for Historic Preservation has declared May 9-15, 1999, as National Historic Preservation Week; and WHEREAS, all citizens are urged to enjoy the heritage embodied in their community's local historic preservation programs, or to consider a restoration for their own historic homes or businesses;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 9-15, 1999, as HISTORIC PRESERVATION WEEK in Illinois.

Issued by the Governor May 4, 1999.

Filed by the Secretary of State May 10, 1999.

99-202

HISTORIC PRESERVATION WEEK (Revised)

WHEREAS, every community, whether its history is measured in centuries or decades, has landmark buildings and neighborhoods that help define its character; and

WHEREAS, active historic preservation efforts save our heritage, allowing us to see where we have been and what we might become, all while encouraging citizens to become involved in enhancing their community's appearance and livability, and laying the foundation for an even greater future; and

WHEREAS, rehabilitating historic buildings makes good environmental sense, as it recycles old buildings for modern use, saving natural resources

and money; and
 WHEREAS, partnerships between public and private entities are an effective method of fostering historic preservation, as exemplified by the historic preservation tax incentive programs, available to property owners as a way of recognizing and rewarding the restoration and use of historic properties; and

WHEREAS, this public-private partnership for historic preservation throughout the state includes such programs as the downtown revitalization efforts of the Illinois Main Street program, the preservation priority of the Certified Local Government program, the nationwide significance of the National Register of Historic Places program, and the practical use of historic resources through the Smart Growth initiative; and

WHEREAS, these public-private partnerships are a daily mission of the Illinois Historic Preservation Agency, the Office of Lieutenant Governor Corinne Wood and several other state government entities; and

WHEREAS, The National Trust for Historic Preservation has declared May 9-15, 1999, as National Historic Preservation Week; and

WHEREAS, all citizens are urged to enjoy the heritage embodied in their community's local historic preservation programs, or to consider a restoration for their own historic homes or businesses;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 9-15, 1999, as HISTORIC PRESERVATION WEEK in Illinois.

Issued by the Governor May 4, 1999.
 Filed by the Secretary of State May 10, 1999.

99-203

ORDER SONS OF ITALY/ALZHEIMER'S ASSOCIATION
 "PARTNERS IN PROGRESS" DAY

WHEREAS, the Order Sons of Italy in America is the largest organization of Americans of Italian descent; and

WHEREAS, the Order Sons of Italy promotes the image of Italian Americans through its involvement in community, charitable, educational, cultural, social, youth and civic activities; and

WHEREAS, the National Council of the Order Sons of Italy in America in partnership with the Alzheimer's Association has adopted Alzheimer's Disease as one of its primary charities; and

WHEREAS, the Order Sons of Italy in America will hold a "coin drop" campaign throughout the state and local chapters across the nation on June 5, 1999, to help 2.5 million people affected by Alzheimer's Disease;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 5, 1999, as ORDER SONS OF ITALY/ALZHEIMER'S ASSOCIATION "PARTNERS IN PROGRESS" DAY in Illinois.

Issued by the Governor May 4, 1999.
 Filed by the Secretary of State May 10, 1999.

99-204

QUENTIS B. GARTH SCHOLARSHIP FOUNDATION DAY

WHEREAS, the Quentis B. Garth Scholarship Foundation is committed to increasing educational opportunities for economically-deprived students in fields such as science, engineering, medicine, astronomy, architecture,

aviation, journalism and computer technology; and

WHEREAS, 13 university or college seniors, who were enrolled in the Quentis B. Garth Scholarship Program, will receive degrees this year; and
 WHEREAS, 25 students are currently enrolled at various universities or colleges and in the Quentis B. Garth Scholarship Program; and
 WHEREAS, the Quentis B. Garth Scholarship Foundation encourages students to strive for excellence in their community and school as they develop into the leaders of tomorrow;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as the QUENTIS B. GARTH SCHOLARSHIP FOUNDATION DAY in Illinois.
 Issued by the Governor May 4, 1999.
 Filed by the Secretary of State May 10, 1999.

99-205

EL PUENTE AWARDS DAY

WHEREAS, St. Augustine College is the first and only bilingual institution of higher education in the Midwest; and
 WHEREAS, 91 percent of St. Augustine students are Hispanic and 75 percent are female; and

WHEREAS, in 1985 the Governing Board of St. Augustine College established the El Puente Awards program; and

WHEREAS, the words El Puente are symbolic because they mean "The Bridge" and St. Augustine's mission is to be an important bridge to better employment and education; and

WHEREAS, El Puente publicly recognizes individuals, groups and corporations for their outstanding commitment to the Hispanic community; and
 WHEREAS, St. Augustine College has made a remarkable impact in the Hispanic Community; and

WHEREAS, St. Augustine College will host its El Puente awards dinner on May 28, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 28, 1999, as EL PUENTE AWARDS DAY in Illinois.

Issued by the Governor May 5, 1999.
 Filed by the Secretary of State May 10, 1999.

99-206

RESPECT LIFE WEEK

WHEREAS, the Preamble of the Constitution of the United States was designed for the people of this land to "secure the blessings of liberty to ourselves and our posterity;" and

WHEREAS, the Declaration of Independence states that we are endowed by our creator with certain inalienable rights, including the right to life; and

WHEREAS, the life of each person is sacred--the young and the old, the healthy and the sick, the gifted and disadvantaged; and

WHEREAS, the purpose of Respect Life Week is to remind the American people of the dignity of human life;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 5-12, 1999, as RESPECT LIFE WEEK in Illinois.

Issued by the Governor May 5, 1999.
 Filed by the Secretary of State May 10, 1999.

99-207

SCHOOL COUNSELOR WEEK

WHEREAS, school counselors are advocates for children and provide guidance services for thousands of elementary and high school students; and

WHEREAS, school counselors help children and adolescents realize their potential academically and socially; and

WHEREAS, school counselors help teachers and administrators provide curricula which stress developmental and career goals; and

WHEREAS, school counselors help children and adolescents learn to solve problems, settle differences in a peaceful manner, to make good decisions and to set appropriate goals for their future; and

WHEREAS, school counselors provide opportunities for students to develop leadership skills, to apply for scholarships, to develop special interests and to understand their strengths and weaknesses;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 23-29, 1999, as SCHOOL COUNSELOR WEEK in Illinois.

Issued by the Governor May 5, 1999.

Filed by the Secretary of State May 10, 1999.

99-208

SHIP WEEK

WHEREAS, aging and disabled populations are growing dramatically each year; and

WHEREAS, Senior Health Insurance Program (SHIP) volunteers are essential to the Illinois Insurance Department's efforts to educate and assist Medicare beneficiaries; and

WHEREAS, more than 800 volunteers have contributed nearly 104,000 hours to assist over 65,000 clients, thereby saving Illinois citizens an excess of \$2.6 million; and

WHEREAS, the SHIP volunteers who contribute both their time and talents to better the lives of Illinois' Medicare beneficiaries are valuable citizens;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 7-11, 1999, as SHIP WEEK in Illinois.

Issued by the Governor May 5, 1999.

Filed by the Secretary of State May 10, 1999.

99-209

SKOKIE FESTIVAL OF CULTURES DAYS

WHEREAS, Mayor Jacqueline B. Gorell and the Village of Skokie will host the 8th Annual Skokie Festival of Cultures May 22-23, 1999; and

WHEREAS, the Skokie Festival of Cultures was created to celebrate the ethnic and cultural diversity of Skokie which is a community with many cultures, races, religions and nationalities; and

WHEREAS, the Skokie Festival of Cultures promotes an appreciation and understanding of cultural diversity through the traditional ethnic/folk arts, music, dance, art, literature, history, education, film, demonstrations, exhibits and food; and

WHEREAS, the Skokie Festival of Cultures strengthens relationships within

the community by fostering communication between social, civic, and educational groups;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 22-23, 1999, as SKOKIE FESTIVAL OF CULTURES DAYS in Illinois.

Issued by the Governor May 5, 1999.

Filed by the Secretary of State May 10, 1999.

99-210

SOCIETY OF ACTUARIES DAY

WHEREAS, actuarial science dates to 220 AD when the first mortality table was developed by Domitius Ulpianus for the purpose of determining the value of life incomes left as bequests under Roman law; and

WHEREAS, actuaries are instrumental in creating the US Social Security System and contributed actuarial science techniques to solving military problems during World War II in the famed Naval Operations Research Unit; and

WHEREAS, everyone who receives a paycheck, has a Social Security number, receives a pension, or has home, health, life or car insurance, depends on actuaries; and

WHEREAS, actuaries are professionals trained in calculus, probability and statistics who apply these skills to attaching financial value to business risks; and

WHEREAS, the Society of Actuaries was formed by a merger of two much older organizations, the American Institute of Actuaries and the Actuarial Society of America, to administer the professional exams all actuaries must pass and represent the profession to the public; and

WHEREAS, the Society of Actuaries represents more than 16,000 actuaries practicing in the United States and Canada; and

WHEREAS, the Society of Actuaries is celebrating its golden anniversary in June 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 3, 1999, as SOCIETY OF ACTUARIES DAY in Illinois.

Issued by the Governor May 5, 1999.

Filed by the Secretary of State May 10, 1999.

99-211

STAMP COLLECTING DAYS

WHEREAS, philatelists and others interested in stamp collecting have gathered for the past 41 years for COMPEX (Combined Philatelic Exhibition of Chicago) and;

WHEREAS, hundreds of frames of rare and unusual stamps will be displayed at COMPEX; and

WHEREAS, COMPEX is the largest club-sponsored show in the United States, presenting the widest range of exhibits by children and adults alike; and

WHEREAS, the theme for this year's COMPEX show is "125th Anniversary of the U.P.U.;"

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 22-30, 1999, as STAMP COLLECTING DAYS in Illinois and welcome all visitors and exhibitors to our state, wishing them a rewarding and enjoyable visit.

Issued by the Governor May 5, 1999.

Rules acted upon during the calendar quarter from Issue 17 through Issue 29 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jutale@ccgate.sos.state.il.us (Internet address).

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